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COMMISSION ON HUMAN RIGHTS

REPORT ON THE FORTY-EIGHTH SESSION

(27 January–6 March 1992)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS, 1992

SUPPLEMENT No. 2

UNITED NATIONS

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

An asterisk after the name of a State indicates a State not member of the Commission, which may submit proposals in accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

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I. DRAFT RESOLUTIONS AND DECISIONS RECOMMEND FOR ADOPTION BY THE ECONOMIC AND SOCIAL COUNCIL

A. Draft resolutions

I. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa

The Economic and Social Council,

Recalling its resolution 1991/26 of 31 May 1991,

Recalling also General Assembly resolutions 39/15 of 23 November 1984, 41/95 of 4 December 1986, 43/92 of 8 December 1988 and 45/84 of 14 December 1990,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Ahmed Khalifa, for his updated report (E/CN.4/Sub.2/1991/13 and Add.1);

2. Expresses its thanks to all Governments and organizations which supplied the Special Rapporteur with information;

3. Decides to invite the Special Rapporteur:

(a) To continue to update the list of banks, transnational corporations and other organizations assisting the racist regime of South Africa, giving such details regarding enterprises listed as he may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report through the Sub-Commission to the Commission on Human Rights;

(b) To use all available material from other United Nations organs, Member States, national liberation movements recognized by the Organization of African Unity, specialized agencies, other intergovernmental and non-governmental organizations and other relevant sources in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist regime of South Africa;

(c) To intensify direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid of the Secretariat with a view to consolidating mutual cooperation in updating his report;

4. Calls upon all Governments:

(a) To cooperate with the Special Rapporteur in making the report even more accurate and informative;

(b) To disseminate the updated report and give its contents the widest possible publicity;

5. Also calls upon all Governments and organizations to maintain sanctions against the regime of South Africa until the total dismantlement of the apartheid system, in conformity with the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by the General Assembly in its resolution S-16/1 of 14 December 1989;

6. Invites the Sub-Commission at its forty-fourth session and the Commission on Human Rights at its forty-ninth session to consider the updated report;

7. Requests the Secretary-General, in accordance with General Assembly resolution 45/84, to make two economists available to the Special Rapporteur to help him develop his analysis and documentation on specific cases of special importance;

8. Also requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in the exercise of his mandate with a view to intensifying direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid of the Secretariat and to consolidating mutual cooperation in updating his report;

9. Further requests the Secretary-General to bring the updated report of the Special Rapporteur to the attention of Governments whose national financial institutions continue to deal with the regime of South Africa and to call upon them to provide the Special Rapporteur with any information or comments they may wish to submit on the matter;

10. Requests the Secretary-General to contact the Government of South Africa with a view to enabling the Special Rapporteur to visit South Africa on a special mission for the purpose of the next updating of his report;

11. Invites the Secretary-General to continue to give the updated report of the Special Rapporteur the widest possible distribution and publicity as a United Nations publication.

[See chap. II, sect. A, resolution 1992/71,
and chap. VI.]

II. Rights of persons belonging to national, ethnic, religious and linguistic minorities

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/16 of 21 February 1992, in which the Commission approved the text of the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities (E/CN.4/1992/48 and Corr.1, annex I), Aware that persons belonging to minorities may also enjoy under international or domestic law other rights than those set forth in the draft declaration,

Recognizing that there is a continuing need to develop international protection in this area,

Believing that the principles and rights as set forth in the draft declaration involve matters of common interest,

Approves the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities and recommends it to the General Assembly for adoption and further action.

[See chap. II, sect. A, resolution 1992/16,
and chap. XVIII.]

III. Declaration on the protection of all persons from enforced disappearance

The Economic and Social Council,

Recalling Commission on Human Rights decision 1986/106 of 13 March 1986, by which the Commission invited the Sub-Commission on Prevention of Discrimination and Protection of Minorities to reconsider the question of a declaration against unacknowledged detention of persons,

Recalling also its resolution 1991/27 of 31 May 1991, whereby it authorized an open-ended working group of the Commission on Human Rights to consider the draft declaration on the protection of all persons from enforced or involuntary disappearances prepared by the Sub-Commission,

Expressing its appreciation to the Commission on Human Rights for finalizing the draft declaration,

1. Decides to submit the report of the Working Group on the Declaration on the protection of all persons from enforced disappearance of the Commission on Human Rights (E/CN.4/1992/19/Rev.1) and the draft declaration to the General Assembly for consideration, with a view to the adoption of the declaration by the Assembly at its forty-seventh session;

2. Recommends that, after adoption by the General Assembly, the full text of the Declaration on the protection of all persons from enforced disappearance should be disseminated as widely as possible.

[See chap. II, sect. A, resolution 1992/29,
and chap. X.]

IV. Question of a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/43 of 3 March 1992,

1. Authorizes the establishment of an open-ended inter-sessional working group in order to elaborate a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, using as a basis for its discussion the draft text proposed by the Government of Costa Rica on 22 January 1991 (see E/CN.4/1991/66), which will meet for a period of two weeks prior to the forty-ninth session of the Commission on Human Rights;

2. Requests the Secretary-General to extend all the necessary facilities to the working group to enable it to meet prior to the forty-ninth session of the Commission on Human Rights.

[See chap. II, sect. A, resolution 1992/43,
and chap. X.]

V. Human rights and youth

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/49 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/20 of 28 August 1991,

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Dumitru Mazilu, for his progress report (E/CN.4/Sub.2/1991/42);

2. Expresses its thanks to all Governments and non-governmental organizations that supplied the Special Rapporteur with relevant information;

3. Decides to invite the Special Rapporteur to update his report in the light of the suggestions made at the forty-third session of the Sub-Commission, giving special attention to the problems of underdevelopment, unemployment, the right to conscientious objection to military service and children in prison throughout the world;

4. Invites the Special Rapporteur to consult governmental and non-governmental organizations in order to elaborate further and to complete his work with a view to submitting his final report to the Sub-Commission at its forty-fourth session;

5. Requests the Secretary-General to continue to gather and supply to the Special Rapporteur information and data relating to his study and to provide him with all the assistance he may need to complete his report, including consultations at the Centre for Human Rights, in order that he may submit his final report to the Sub-Commission at its forty-fourth session.

[See chap. II, sect. A, resolution 1992/49,
and chap. XVII.]

VI. Implementation of the Convention on the Rights of the Child

The Economic and Social Council,

Recalling General Assembly resolution 46/112 of 17 December 1991 and Commission on Human Rights resolution 1992/75 of 5 March 1992,

Concerned about the workload of the Committee on the Rights of the Child and the risk of building up an undesirable backlog in the consideration of States parties' reports,

1. Recalls that the General Assembly, in its resolution 46/112, supported the organization of the future work of the Committee on the basis of two sessions per year, each of two or three weeks duration, and the establishment of a pre-sessional working group for a preliminary review of reports from States parties;

2. Welcomes the decision of the General Assembly in its resolution 46/112 to take appropriate action, at its forty-seventh session, on the recommendations of the Committee on the Rights of the Child;

3. Requests the Secretary-General to make the necessary resources available, within the overall existing budget framework, to enable the Working Group of the Whole of the Committee on the Rights of the Child to meet in 1992 subsequent to the second session of the Committee.

[See chap. II, sect. A, resolution 1992/75,
and chap. XXII.]

VII. Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1992/82 of 5 March 1992,

1. *Authorizes* an open-ended working group of the Commission on Human Rights to meet for a period of two weeks prior to the forty-ninth session of the Commission, with a view to completing at that time the second reading of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms and to submitting the text to the Commission at its forty-ninth session for adoption;

2. *Requests* the Secretary-General to extend all necessary facilities to the working group for its meetings.

[See chap. II, sect. A, resolution 1992/82,
and chap. XXI.]

B. Draft decisions

1. Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/6 of 21 February 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, and also approves the Commission's request to the Special Rapporteur to report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/6, and chap. IX.]

2. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/17 of 21 February 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur to enable him to report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/17, and chap. XX.]

3. Question of enforced or involuntary disappearances

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/30 of 28 February 1992, approves the Commission's decision to extend for three years the mandate of the Working Group on Enforced or Involuntary Disappearances as defined in Commission resolution 20 (XXXVI), and also approves the Commission's request to the Secretary-General to ensure that the Working Group receives all necessary assistance, in particular the staff and resources it requires to perform its functions, especially in carrying out missions, following them up and holding sessions in countries that would be prepared to receive it.

[See chap. II, sect. A, resolution 1992/30, and chap. X.]

4. Torture and other cruel, inhuman or degrading treatment or punishment

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/32 of 28 February 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur to cover all of his activities in order to enable him to submit his report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/32,
and chap. X.]

5. Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/33 of 28 February 1992, approves the endorsement by the Commission of the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust the Special Rapporteur with the preparation of a further report on strengthening the independence of the judiciary and the legal profession, as described in Sub-Commission resolution 1991/35 of 29 August 1991, and also approves the Commission's request to the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the completion of his task.

[See chap. II, sect. A, resolution 1992/33,
and chap. X.]

6. Right to a fair trial

The Economic and Social Council, recalling its resolution 1991/28 of 31 May 1991 and taking note of Commission on Human Rights resolutions 1991/43 of 5 March 1991 and 1992/34 of 28 February 1992, approves the endorsement by the Commission of the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1991/14 of 28 August 1991, to Mr. Stanislav Chernichenko and Mr. William Treat to continue the preparation of their study on the right to a fair trial: current recognition and measures necessary for its strengthening, and also approves the Commission's request to the Secretary-General to provide the Special Rapporteurs with all the assistance they may require in this task.

[See chap. II, sect. A, resolution 1992/34,
and chap. X.]

7. Report of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/44 of 3 March 1992, authorizes the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to meet for ten working days prior to the forty-fourth session of the Sub-Commission, and approves the Commission's request to the Secretary-General to give all necessary assistance to the Working Group in discharging its task, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies and non-governmental and indigenous people's organizations, in order to encourage the widest possible participation in its work.

[See chap. II, sect. A, resolution 1992/44,
and chap. XVII.]

8. Human rights and disability

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/48 of 3 March 1992, approves the Commission's requests to the Secretary-General: (a) to ensure better coordination among specialized agencies, the human rights bodies of the United Nations and other organs dealing with the human rights of disabled persons, and (b) to take the necessary steps to ensure that the final report on human rights and disability of the Special Rapporteur is issued as a United Nations publication in all the official languages, and transmit it to the Commission for Social Development for consideration.

[See chap. II, sect. A, resolution 1992/48,
and chap. XVII.]

9. National institutions for the promotion and protection of human rights

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/54 of 3 March 1992, approves the Commission's request to the Secretary-General to publicize the proceedings of the International Workshop on National Institutions for the Promotion and Protection of Human Rights (E/CN.4/1992/43 and Add.1 and 2) and to undertake follow-up activities, to commence the planning of a follow-up international workshop in 1993, following the World Conference on Human Rights, and to submit a report on those preparations to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/54,
and chap. XI.]

10. Discrimination against people infected with the human immunodeficiency virus (HIV) or with acquired immunodeficiency syndrome (AIDS)

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/56 of 3 March 1992, approves the endorsement by the Commission of the requests of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to its Special Rapporteur, Mr. Luis Varela Quirós, to submit his final report to the Sub-Commission at its forty-fourth session, and to the Secretary-General to give the Special Rapporteur such assistance as he may require to accomplish his work.

[See chap. II, sect. A, resolution 1992/56, and chap. XI.]

11. Situation of human rights in Myanmar

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/58 of 3 March 1992, approves the Commission's decision to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar with a view to examining the situation of human rights in that country, and to report to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/58, and chap. XII.]

12. Situation of human rights in Cuba

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/61 of 3 March 1992, approves the Commission's request to its Chairman to designate the Special Representative appointed by the Secretary-General pursuant to its resolution 1991/68 as its Special Rapporteur to review and report on the situation of human rights in Cuba, and also approves the Commission's request to the Special Rapporteur to report to the Commission at its forty-ninth session on the results of his endeavours pursuant to its resolution 1992/61, and to submit an interim report to the General Assembly at its forty-seventh session.

[See chap. II, sect. A, resolution 1992/61, and chap. XII.]

13. Situation of human rights in El Salvador

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/62 of 3 March 1992, approves the Commission's request to the Secretary-General to appoint an independent expert to provide assistance in human rights matters to the Government of El Salvador, consider the human rights situation in the country and the effects of the Peace Agreements on the effective enjoyment of human rights, and investigate the manner in which both parties apply the recommendations contained in the final report of the Special Representative of the Commission (E/CN.4/1992/32) and those made by the United Nations Observer Mission in El Salvador and the committees established during the negotiation process, and also approves the Commission's request to the independent expert to report on the outcome of his inquiries to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/62,
and chap. XII.]

14. Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/66 of 4 March 1992, approves the endorsement by the Commission of the establishment by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, on an exceptional basis, of an inter-sessional working group on the rationalization of the work and the agenda of the Sub-Commission, approves the Commission's invitation to its Chairman to inform the Sub-Commission on the debate under this item, and also approves the Commission's decision to invite the Chairman of the Sub-Commission at its forty-third session to come for consultations with the members of the Bureau of the Commission at the conclusion of its forty-eighth session and the Chairman of the Sub-Commission at its forty-fourth session to report to the Commission at its forty-ninth session on the implementation, by the Sub-Commission, of the initiatives recommended in Commission resolution 1992/66.

[See chap. II, sect. A, resolution 1992/66,
and chap. XVII.]

15. Situation of human rights in the Islamic Republic of Iran

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/67 of 4 March 1992, approves the Commission's decision to extend the mandate of the Special Representative for a further year, also approves the Commission's request to the Special Representative to submit an interim report to the General Assembly at its forty-seventh session on the human rights situation in the Islamic Republic of Iran and a final report to the Commission at its forty-ninth session, and further approves the Commission's request to the Secretary-General to give all necessary assistance to the Special Representative.

[See chap. II, sect. A, resolution 1992/67,
and chap. XII.]

16. Situation of human rights in Afghanistan

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/68 of 4 March 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for one year and to request him to report on the situation of human rights in Afghanistan to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session and also approves the Commission's request to the Secretary-General to give all necessary assistance to the Special Rapporteur.

[See chap. II, sect. A, resolution 1992/68,
and chap. XII.]

17. Situation of human rights in Iraq

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/71 of 5 March 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for a further year and its request to the Special Rapporteur to visit again the northern area of Iraq and to submit an interim report on the human rights situation in Iraq to the General Assembly at its forty-seventh session and a final report to the Commission at its forty-ninth session, and also approves the Commission's request to the Secretary-General to provide the Special Rapporteur with all the necessary assistance in performing his task.

[See chap. II, sect. A, resolution 1992/71,
and chap. XII.]

18. Extrajudicial, summary or arbitrary executions

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/72 of 5 March 1992, approves the Commission's request to its Chairman, after consultations within the Bureau, to appoint an individual of recognized international standing as a special rapporteur for three years, while maintaining the annual reporting cycle, and also approves the Commission's request to the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur.

[See chap. II, sect. A, resolution 1992/72,
and chap. XII.]

19. Internally displaced persons

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/73 of 5 March 1992, approves the Commission's request to the Secretary-General to designate a representative to seek again views and information from all Governments on the human rights issues related to internally displaced persons, including an examination of existing international human rights, humanitarian and refugee law and standards and their applicability to the protection of and relief assistance to internally displaced persons.

[See chap. II, sect. A, resolution 1992/73,
and chap. XI.]

20. Special Rapporteur on the sale of children, child prostitution and child pornography

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/76 of 5 March 1992, approves the Commission's decision to extend the mandate of the Special Rapporteur for three years, while maintaining the annual reporting cycle, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur in order to enable him to report to the Commission at its forty-ninth session.

[See chap. II, sect. A, resolution 1992/76,
and chap. XXII.]

21. Situation of human rights in Haiti

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/77 of 5 March 1992, approves the Commission's request to its Chairman, following consultations with the Bureau, to appoint a special rapporteur with a mandate to report on the situation of human rights in Haiti and to submit an interim report to the General Assembly at its forty-seventh session and a report to the Commission at its forty-ninth session, and endorses the Commission's request to the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the performance of his mandate.

[See chap. II, sect. A, resolution 1992/77,
and chap. XIX.]

22. Assistance to Guatemala in the field of human rights

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/78 of 5 March 1992, approves the Commission's request to the Secretary-General to extend the mandate of the Independent Expert so that he may continue to examine the human rights situation in Guatemala and provide assistance to the Government in the field of human rights and submit to the Commission at its forty-ninth session a report assessing the measures taken by the Government in accordance with the recommendations made to it.

[See chap. II, sect. A, resolution 1992/78,
and chap. XIX.]

23. Situation in Equatorial Guinea

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/79 of 5 March 1992, approves the Commission's request to its Chairman, following consultations with the Bureau, to appoint an individual of recognized international standing in the field of human rights, who is entirely familiar with the situation in Equatorial Guinea, as an expert of the Commission whose mandate will be to make a thorough study of the violations of human rights by the Government of Equatorial Guinea, and also approves the Commission's request to the Secretary-General to provide all necessary assistance to the Expert of the Commission.

[See chap. II, sect. A, resolution 1992/79,
and chap. XIX.]

24. Realization of economic, social and cultural rights

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/103 of 21 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/27 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission to Mr. Danilo Türk, Special Rapporteur on the realization of economic, social and cultural rights, to prepare his final report, and to the Secretary-General to provide the Special Rapporteur with all the assistance he may require for the successful completion of his task, and to make available to him all relevant information from sources within the United Nations system.

[See chap. II, sect. B, decision 1992/103,
and chap. VII.]

25. Question of human rights and states of emergency

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/107 of 28 February 1992 and of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/18 of 28 August 1991, endorses the request of the Sub-Commission to Mr. Leandro Despouy, Special Rapporteur on human rights and states of emergency, to continue to update the list of states of emergency and to include in his annual report to the Sub-Commission and the Commission the completed draft standard provisions on emergency situations, giving special emphasis to the question of non-derogable rights, and also endorses the request to the Secretary-General to provide the Special Rapporteur with all the assistance he may require in order to enable him to carry out his work and, in particular, to respond in an effective way to information submitted to him.

[See chap. II, sect. B, decision 1992/107,
and chap. X.]

26. The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/108 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/25 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission to Mr. Theo van Boven, Special Rapporteur on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, to prepare a second progress report containing additional information on and an analysis of relevant decisions and views of international human rights organs, as well as information on and an analysis of national law and practice, and to the Secretary-General to provide the Special Rapporteur with all the assistance that he requires to carry out his study.

[See chap. II, sect. B, decision 1992/108, and chap. X.]

27. Traditional practices affecting the health of women and children

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/109 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/23 of 29 August 1991, endorses the approval by the Commission of the recommendation of the Sub-Commission that the mandate of the Special Rapporteur be extended for two years so as to enable her to submit to the Sub-Commission at its forty-fifth session a plan of action for the elimination of harmful traditional practices affecting the health of women and children, and a report on the regional seminar to take place in Asia, and the Sub-Commission's recommendation that the Centre for Human Rights provide a full-time Professional staff member to follow up the question of traditional practices affecting the health of women and children and to liaise with Governments, United Nations bodies and regional commissions, non-governmental organizations and other concerned institutions, with special emphasis on gathering data from the many organizations currently working to eliminate harmful traditional practices.

[See chap. II, sect. B, decision 1992/109, and chap. XVII.]

28. Human rights and the environment

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/110 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/24 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission to Ms. Fatma Zohra Ksentini, Special Rapporteur on human rights and the environment, to prepare a progress report on human rights and the environment, and to the Secretary-General to provide the Special Rapporteur with all the assistance she requires for the preparation of her study, as well as the necessary assistance to compile and analyse the information and documents collected.

[See chap. II, sect. B, decision 1992/110,
and chap. XVII.]

29. Study on treaties, agreements and other constructive arrangements between States and indigenous populations

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/111 of 28 February 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities decision 1991/111 of 29 August 1991, approves the endorsement by the Commission of the requests of the Sub-Commission: (a) to Mr. Miguel Alfonso Martínez to prepare a progress report on treaties, agreements and other constructive arrangements between States and indigenous populations for submission to the Working Group on Indigenous Populations at its tenth session and the Sub-Commission at its forty-fourth session, and (b) to the Secretary-General to give the Special Rapporteur all the assistance necessary to allow him to continue his work, in particular to provide for a second study trip to the Archivo de Indias in Seville, Spain, the specialized research assistance required, as provided for in previous resolutions adopted on this matter, and the necessary trips to Geneva for consultations at the Centre for Human Rights.

[See chap. II, sect. B, decision 1992/111,
and chap. XVII.]

30. Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/112 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/22 of 28 August 1991, endorses the approval by the Commission of the request of the Sub-Commission: (a) to the Secretary-General to prepare, with the cooperation of the Special Rapporteur of the Sub-Commission, the technical meeting of experts on minorities provided for in Commission resolution 1991/62 of 6 March 1991, with a view to it taking place in 1992, (b) to the Special Rapporteur to continue consultations with States, which may also include visits to countries, at the invitation of Governments, in order to gather of Discrimination and Protection of Minorities resolution 1991/34 of 29 August 1991, endorses the approval by the Commission of the requests of the Sub-Commission to the Secretary-General: (a) to send a representative of the Centre for Human Rights to participate in a Council of Europe seminar on trafficking in persons and prostitution, at Strasbourg from 25 to 27 September 1991, and to report on the results of this seminar to the Working Group on Contemporary Forms of Slavery at its seventeenth session, (b) to reassign to the Working Group a full-time Professional staff member of the Centre for Human Rights on issues relating to contemporary forms of slavery, to prepare documentation well in advance, to facilitate the representation at the sessions of the Working Group of the largest possible number of intergovernmental and non-governmental organizations with competence in the fields examined and to report on the measures taken for this purpose to the Commission at its forty-ninth session and the Working Group at its seventeenth session, and (c) to examine the possibility of organizing the sessions of the Working Group for eight working days during the month of April or May, in order to avoid overlapping with meetings of other working groups of the Sub-Commission and the burden this places on the Centre for Human Rights, and in view of the impossibility for representatives of Governments and non-governmental organizations to attend simultaneous sessions.

[See chap. II, sect. B, decision 1992/115,
and chap. XVII.]

34. Organization of the work of the forty-ninth session of the Commission on Human Rights

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/119 of 6 March 1992, decides to authorize, if possible within existing financial resources, forty fully-serviced additional meetings, including summary records, for the Commission's forty-ninth session, and takes note of the Commission's decision to request the Chairman of the Commission at its forty-ninth session to make every effort to organize the work of the session within the time normally allotted, the additional meetings to be utilized only if they prove to be absolutely necessary.

[See chap. II, sect. B, decision 1992/119,
and chap. III.]

first-hand information and to submit a progress report on his study, and (c) to the Secretary-General to give the Special Rapporteur all the assistance he may require to carry out his work successfully.

[See chap. II, sect. B, decision 1992/112, and chap. XVIII.]

31. Economic and social relations between indigenous peoples and States

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/113 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/31 of 29 August 1991, decides to request United Nations bodies and specialized agencies to ensure that all technical assistance financed or provided by them is compatible with international instruments and standards applicable to indigenous peoples, and for this purpose the Council encourages efforts to promote coordination among organizations of the United Nations system and greater participation of indigenous peoples in the planning and implementation of projects affecting them, and also encourages the regional commissions to organize meetings with representative organizations of indigenous peoples within the framework of General Assembly resolution 45/97 of 14 December 1990.

[See chap. II, sect. B, decision 1992/113, and chap. XVII.]

32. Ownership and control of the cultural property of indigenous peoples

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/114 of 3 March 1992 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/32 of 29 August 1991, endorses the appointment of Ms. Erica-Irene A. Daes as Special Rapporteur of the Sub-Commission to prepare a study of measures which should be taken by the international community to strengthen respect for the cultural property of indigenous peoples, to be submitted to the Sub-Commission at its forty-fifth session in 1993, and endorses the Commission's request to the Secretary-General to provide the Special Rapporteur with all the assistance she may require for the completion of this task.

[See chap. II, sect. B, decision 1992/114, and chap. XVII.]

33. Working Group on Contemporary Forms of Slavery

The Economic and Social Council, taking note of Commission on Human Rights decision 1992/115 of 3 March 1992 and Sub-Commission on Prevention

II. RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION AT ITS FORTY-EIGHTH SESSION

A. Resolutions

1992/1. Human rights in the occupied Syrian Golan

The Commission on Human Rights,

Deeply concerned at the suffering of the population of the Syrian and other Arab territories occupied by Israel since 1967 and the continued Israeli military occupation, and that the human rights of the population continue to be violated,

Recalling Security Council resolution 497 (1981) of 17 December 1981, in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel should rescind forthwith its decision,

Recalling General Assembly resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989, 45/74 F of 11 December 1990 and 46/47 F of 9 December 1991,

Recalling also General Assembly resolution 3414 (XXX) of 5 December 1975 and other relevant resolutions in which the Assembly, inter alia, demanded the immediate, unconditional and total withdrawal of Israel from the Arab territories occupied since 1967,

Recalling further General Assembly resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the principles of international law and under the Charter of the United Nations and the relevant resolutions of the Security Council and the General Assembly, and that all territories thus occupied by Israel must be returned,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/46/522) of 18 October 1991 and, in this connection, deploring Israel's constant refusal to cooperate with and to receive the Special Committee, *Expressing its grave alarm*, after considering the above-mentioned report of the Special Committee, over Israel's flagrant and persistent violations of human rights in the Syrian and other Arab territories occupied since 1967, despite the resolutions of the Security Council and the General Assembly which repeatedly called upon Israel to put an end to such occupation,

Reaffirming its previous relevant resolutions, the most recent being resolution 1991/2 of 15 February 1991,

Guided by the relevant provisions of the Charter of the United Nations and the Universal Declaration of Human Rights, and with particular reference to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the relevant provisions of The Hague Conventions of 1899 and 1907,

1. *Strongly condemns* Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly resolution 497 (1981), in which the Council, *inter alia*, decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. *Condemns* the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and emphasizes that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their property;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. *Strongly condemns* Israel for its attempt to impose forcibly Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and for its practices of annexation, establishment of settlements, confiscation of lands and diversion of water resources, and imposing a boycott on their agricultural products; and calls upon Israel to desist from its settlement designs and policies aimed against academic institutions with the goal of distorting the historical facts and serving the objectives of occupation, and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to in paragraph 4 of the present resolution;

6. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its forty-ninth session;

7. Decides to include in the provisional agenda of its forty-ninth session, as a matter of high priority, the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

27th meeting
14 February 1992
[Adopted by a roll-call vote of 31 to 1,
with 17 abstentions. See chap. IV.]

1992/2. Question of the violation of human rights in the occupied Arab territories, including Palestine

A

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, as well as by the provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Taking into consideration the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the provisions of Additional Protocol I thereto, and the Hague Convention IV of 1907, as well as the principles of international law affirmed by the General Assembly in its resolutions 3 (I) of 13 February 1946, 95 (I) of 11 December 1946, 260 A (III) of 9 December 1948 and 2391 (XXIII) of 26 November 1968,

Recalling the relevant Security Council resolutions, in particular resolutions 252 (1968) of 25 May 1968, 267 (1969) of 3 July 1969, 298 (1971) of 25 September 1971, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 471 (1980) of 5 June 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990, 694 (1991) of 24 May 1991, and 726 (1992) of 6 January 1992, *Recalling also* the General Assembly resolutions on Israeli violations of human rights in occupied Palestine, since 1967 and until now,

Taking note of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories submitted to the General Assembly since 1968, in particular its report of 18 October 1991 (A/46/522),

Expressing its deep concern at the contents of the report (E/CN.4/1991/36) by the Special Rapporteur, Mr. S. Amos Wako, regarding summary or arbitrary executions and the acts committed by Israel in this respect referred to in the report, in particular in paragraphs 290 to 296,

Recalling all its previous resolutions on the subject,

1. *Condemns* the policies and practices of Israel, which violate the human rights of the Palestinian people in the Palestinian territory occupied by Israel with military force, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers on Palestinian civilians that results in killing and wounding them, as has happened continuously since the eruption of the Palestinian people's intifada against Israeli military occupation; the imposition of restrictive economic measures; the demolition of houses; the expropriation of houses as happened recently in Silwan village; the ransacking of property belonging individually or collectively to private persons; collective punishment; arbitrary and administrative detention of thousands of Palestinians; the confiscation of the property of Palestinians, including their bank accounts; the expropriation of land; the prevention of travel; the closure of universities and schools; the perpetration of crimes of torture in Israeli prisons and detention centres; and the establishment of Jewish settlements in the occupied Palestinian territory;

2. *Affirms* the right of the Palestinian people to resist the Israeli occupation by all means, in accordance with the relevant United Nations resolutions, consistent with the purposes and principles of the Charter of the United Nations, as has been expressed by the Palestinian people in their brave intifada since December 1987, in legitimate resistance against the Israeli military occupation;

3. *Calls once more upon* Israel, the occupying Power, to desist from all forms of violation of human rights in the Palestinian and other occupied Arab territories and to respect the bases of international law, the principles of international humanitarian law, and its commitments to the provisions of the Charter and resolutions of the United Nations;

4. *Calls upon* Israel to withdraw from the Palestinian territory, including Jerusalem, and other occupied Arab territories in accordance with the resolutions of the United Nations and the Commission on Human Rights in this regard;

5. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations, to disseminate it on the widest possible scale, and to report on its implementation by the Government of Israel to the Commission on Human Rights at its forty-ninth session;

6. Also requests the Secretary-General to provide the Commission on Human Rights with all United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation;

7. Decides to consider the question at its forty-ninth session as a matter of priority.

27th meeting
14 February 1992
[Adopted by a roll-call vote of 30 to 16,
with 3 abstentions. See chap. IV.]

B

The Commission on Human Rights,

Recalling Security Council resolutions related to the applicability of the four Geneva Conventions of 1949 to the Palestinian and other occupied Arab territories and the condemnation by the Security Council of Israel for its refusal to abide by these Conventions, particularly resolutions 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 497 (1981) of 17 December 1981, 592 (1986) of 8 December 1986, 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990, 694 (1991) of 24 May 1991 and 726 (1992) of 6 January 1992,

Recalling all relevant General Assembly resolutions on the applicability to the occupied Palestinian territory of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which urge Israel's commitment to and respect for their provisions,

Recalling also the decisions of the International Conference of the Red Cross in respect of the application of the Fourth Geneva Convention in all circumstances,

Recalling further its previous resolutions on this question, *Recalling* the different appeals and statements of the International Committee of the Red Cross which point to the continuing violations by the Israeli occupation authorities of the provisions of the Fourth Geneva Convention, particularly article 49 thereof, and which call upon those authorities to respect the provisions of the Convention and abide by them,

Taking into account that the States parties to the Fourth Geneva Convention undertake, in accordance with article 1 thereof, to respect, and ensure respect for, the Convention in all circumstances,

1. *Reaffirms* that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and all other Arab territories occupied by Israel since 1967, including Jerusalem, and that Israel's longstanding refusal to apply the Convention to those territories has led to the perpetration by the Israeli authorities of grave violations of human rights against Palestinian citizens, and calls upon Israel to comply with its international commitments, to respect the Fourth Geneva Convention and to apply it in the occupied Palestinian territory, including Jerusalem;

2. *Urges once more* all States parties to the Fourth Geneva Convention to make every effort to ensure the Israeli occupation authorities' respect for, and compliance with, the provisions of that Convention in the Palestinian and all other Arab territories occupied by Israel since 1967, including Jerusalem, and to undertake the necessary practical measures to ensure the provision of international protection for the Palestinian people under occupation, in accordance with the provisions of article 1 and other relevant articles of the Fourth Geneva Convention as well as article 89 of Additional Protocol I to the four Geneva Conventions; also urges the States parties to the Fourth Geneva Convention to act in accordance with article 90 of Additional Protocol I by requesting the fact-finding commission referred to therein to investigate the grave violations of international humanitarian law in the occupied Palestinian territory mentioned in the present resolution;

3. *Strongly condemns once more* the refusal of Israel to apply the Fourth Geneva Convention to Palestine and the Arab territories occupied since 1967 and to their inhabitants, Israel's policies of perpetrating crimes of torture against Palestinian detainees and prisoners in Israeli prisons and concentration camps and its continued deliberate disregard for the provisions of the Fourth Geneva Convention, in contravention of resolutions of the Security Council, the General Assembly and the Commission on Human Rights;

4. *Strongly condemns* Israel for its grave violations of article 49 of the Fourth Geneva Convention, for continuing its policy of deporting Palestinian citizens and of expelling them from their homeland, as recently happened to the Palestinian citizens Ihab Mohammad Ali Al-Ashkar, Sami Attiya Zayed Abu Samhadana, Ahmad Hassan Abdullah Youssef, Marwan Hassan Mohammad Afana, Ra'fat Osman Ali El-Najjar, El-Sheikh Ahmad Mohammad Ali El-Nimer Hamdan, Khader Attiya Khader Mohrez, Iyad Elhami Abdelraouf Gouda,

Ghassan Mohammad Soleiman Jarrar, Hassan Abdullah Hassan Sha'ban, Ali Fares Hassan El-Khatib and Omar Nimer Abdelrahman Safi, and calls upon Israel to comply with the resolutions of the Security Council, particularly resolution 726 (1992) of 6 January 1992, of the General Assembly and the Commission on Human Rights on the question;

5. Calls upon Israel to refrain immediately from deporting Palestinian citizens from their homeland, and to allow all those who have been deported since 1967 to return to their homeland without any obstacle or delay;

6. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations, international humanitarian organizations and non-governmental organizations, and to report on progress in its implementation by the Government of Israel to the Commission on Human Rights at its forty-ninth session;

7. Decides to consider the question at its forty-ninth session as a matter of high priority.

27th meeting
14 February 1992
[Adopted by a roll-call vote of 31 to 1,
with 17 abstentions. See chap. IV.]

1992/3. Israeli settlements in the occupied Arab territories

The Commission on Human Rights,

Recalling that, in accordance with article 13, paragraph 2, of the Universal Declaration of Human Rights, everyone has the right to leave any country including his own and to return to his country,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and all Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling its resolutions 1990/1 of 16 February 1990, and 1991/3 of 15 February 1991,

Gravely concerned at the large-scale establishment by the Israeli Government of settlers, including immigrants, in the occupied territories, which may change the physical character and demographic composition of the occupied territories, Taking into account the need to create the stable environment required for progress in the negotiation process following the Peace Conference on the Middle East convened in Madrid on 30 October 1991,

Convinced that the halting by Israel of its policy of settlement would constitute a meaningful contribution to the creation of that environment,

1. Reaffirms that the installation of Israeli civilians in the occupied territories is illegal and constitutes a violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

2. Regrets that the Government of Israel has not complied with the provisions of Commission on Human Rights resolutions 1990/1 and 1991/3;

3. Urges the Government of Israel to abstain from installing settlers, including immigrants, in the occupied territories.

27th meeting
14 February 1992
[Adopted by 45 votes to none, with
1 abstention. See chap. IV.]

1992/4. Situation in occupied Palestine

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination,

Guided also by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right of self-determination,

Taking into consideration the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the General Assembly in its resolution 1514 (XV) of 14 December 1960,

Noting Security Council resolutions 183 (1963) of 11 December 1963 and 218 (1965) of 23 November 1965, which affirmed the interpretation of the principle of self-determination as laid down in General Assembly resolution 1514 (XV),

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, as well as all other resolutions which confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination without external interference and to the establishment of their independent State on their national soil, especially Assembly resolutions ES-7/2 of 29 July 1980 and 37/86 E of 20 December 1982,

Reaffirming its previous resolutions in this regard,

Bearing in mind the reports and recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People which, from 1976 to 1991, have been submitted to the Security Council through the General Assembly,

Reaffirming the right of the Palestinian people to self-determination in accordance with the Charter of the United Nations, the relevant United Nations resolutions and the provisions of the International Covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world,

Expressing its grave concern at the persistence of Israel in preventing by force the Palestinian people from enjoying their inalienable rights, in particular their right to self-determination, in defiance of the principles of international law, United Nations resolutions and the will of the international community, which has affirmed and recognized those rights,

Recalling that the military occupation by the armed forces of a State of the territory of another State constitutes an act of aggression and a crime against the peace and security of mankind, according to General Assembly resolution 3314 (XXIX) of 14 December 1974,

Expressing its grave concern that no just solution has been achieved to the problem of Palestine, which has constituted the core of the Arab-Israeli conflict since 1948,

Reiterating its grave concern at the military, economic and political support given by some States to Israel, which encourages and supports Israel in its aggressive and expansionist policies, its continued occupation of Palestinian and other Arab territories and the Judaization of Palestine by establishing Jewish settlements and settling Jewish immigrants therein,

Affirming that the directing of the immigration of Jews in an organized manner to Israel constitutes support to Israel's settlement policy in the occupied Palestinian territory and an obstacle to the exercise by the Palestinian people of their right to self-determination,

1. Reaffirms that the Israeli occupation of Palestine constitutes a gross violation of human rights and an act of aggression against the peace and security of mankind;

2. Reaffirms the inalienable right of the Palestinian people to self-determination without external interference and to the establishment of their independent sovereign State on their national soil, in accordance with the Charter of the United Nations and resolutions adopted by the General Assembly since 1947;

3. Reaffirms also the inalienable right of the Palestinians to return to their homeland, Palestine, in accordance with General Assembly resolution 194 (III) and subsequent relevant resolutions;

4. Reaffirms further the right of the Palestinian people to recover their rights by all means in accordance with the purposes and principles of the Charter of the United Nations and with relevant United Nations resolutions, and affirms that the intifada of the Palestinian people against the Israeli occupation since 8 December 1987 is a form of legitimate resistance against the military occupation of Palestine and an expression of the Palestinian people's rejection of the occupation and an affirmation of their unshakeable desire for liberation and for the exercise of their inalienable national rights on their national soil;

5. Reaffirms its support for the call to convene an effective international peace conference on the Middle East, with the participation of the permanent members of the Security Council and the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, under the auspices of the United Nations, in accordance with the relevant resolutions of the General Assembly and the Security Council, and to guarantee the inalienable national rights of the Palestinian people, in particular their right to self-determination without external interference;

6. Expresses its great interest in the current process of negotiations, which began in Madrid on 30 October 1991, between the parties to the conflict to resolve the problem of Palestine and of the Middle East; affirms the necessity of this process being based on international legitimacy, on the principles of international law and on the United Nations resolutions concerning the inalienable rights of the Palestinian people, at the forefront of which is their right to self-determination, so that the process results in a just solution leading to a just and permanent peace in the Middle East; also affirms that any attempt to achieve a peaceful solution in the region which is not based on the principles of international law and the United Nations resolutions regarding the Israeli occupation of Palestine and other Arab territories and the right of the Palestinian people to self-determination free from external interference will not ensure the achievement of a just, permanent and comprehensive peace in the Middle East;

7. Strongly condemns Israel for its continued occupation of the Palestinian territory, which constitutes the main obstacle to the exercise by the Palestinian people of their national rights, the foremost of which is their right to free self-determination on their national soil;

8. Calls upon Israel to comply with its obligations under the Charter of the United Nations and the principles of international law and to withdraw from the Palestinian and other Arab territories which it has occupied since 1967 by military force, including Jerusalem, in accordance with the relevant United Nations resolutions;

9. Urges all States, United Nations organs, the specialized agencies and other international organizations to extend their support and assistance to the Palestinian people through their sole legitimate representative, the Palestine Liberation Organization, in their struggle to recover their rights and to liberate their land from Israeli occupation, in accordance with the Charter of the United Nations and with the relevant United Nations resolutions;

10. Requests the Secretary-General to transmit the present resolution to the Government of Israel and to all other Governments, to distribute it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its forty-ninth session, all information pertaining to the implementation of the present resolution by the Government of Israel;

11. Decides to include in the provisional agenda for its forty-ninth session the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" and to consider the situation in occupied Palestine under that item, as a matter of high priority.

27th meeting
14 February 1992
[Adopted by a roll-call vote of 31 to 2,
with 17 abstentions. See chap. IX.]

1992/5. Situation in Afghanistan

The Commission on Human Rights,

Recalling its resolutions 1989/23 of 6 March 1989, 1990/5 of 16 February 1990 and 1991/4 of 15 February 1991,

Bearing in mind that one of the fundamental purposes of the United Nations set forth in the Charter is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

Reaffirming the purposes and principles of the Charter of the United Nations and the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity and political independence of any State,

Noting the conclusion at Geneva, on 14 April 1988, of the Agreements on the Settlement of the Situation Relating to Afghanistan (S/19835, annex I), Recalling General Assembly resolutions 43/20 of 3 November 1988, 44/15 of 1 November 1989, 45/12 of 7 November 1990 and 46/23 of 5 December 1991, in which the Assembly reaffirmed, inter alia, the inalienable right of all peoples to determine their own form of government and to choose their own economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever,

Gravely concerned at the situation in Afghanistan, which resulted from the violation of principles of the Charter of the United Nations and of the recognized norms of inter-State conduct,

Aware of the continuing concern of the international community over the suffering of the Afghan people and the magnitude of the social and economic problems posed to Pakistan and the Islamic Republic of Iran by the presence on their soil of millions of Afghan refugees,

Deeply conscious of the urgent need for a comprehensive political solution of the situation in respect of Afghanistan on the basis of the free exercise of the right to self-determination of the Afghan people,

1. Emphasizes the importance of the Agreements on the Settlement of the Situation Relating to Afghanistan, concluded at Geneva on 14 April 1988, under United Nations auspices, which constitute an important step towards a comprehensive political solution of the Afghanistan problem;

2. Calls for scrupulous respect for and faithful implementation of the Geneva Agreements by all parties concerned, who should fully abide by their letter and spirit;

3. Expresses its appreciation to the Secretary-General and his Personal Representative for their constant efforts to achieve a political solution of the Afghanistan problem;

4. Reaffirms the right of the Afghan people to self-determination and to determine their own form of government and to choose their economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever;

5. Reiterates that the preservation of the sovereignty, territorial integrity, political independence and non-aligned and Islamic character of Afghanistan is essential for a peaceful solution of the Afghanistan problem;

6. Calls upon all parties concerned to promote and actively search for ways towards a political solution, acceptable to the Afghan people, on the basis of principles contained in the statement of the Secretary-General on Afghanistan of 21 May 1991 and the report of the Secretary-General contained in document A/46/577-S/23146 of 17 October 1991;

7. Calls upon all parties concerned to work for the urgent achievement of a comprehensive political solution, the cessation of hostilities and the creation of the necessary conditions of peace and normalcy which would enable the Afghan refugees to return voluntarily to their homeland in safety and honour;

8. Emphasizes the need for an early start of the intra-Afghan dialogue for the establishment, through democratic procedures acceptable to the Afghan people, including free and fair elections, of a broad-based government to ensure the broadest support and immediate participation of all segments of the Afghan people;

9. Requests the Secretary-General and his Personal Representative to continue to encourage and facilitate the early realization of a comprehensive political settlement in Afghanistan in accordance with the provisions of the Geneva Agreements and General Assembly resolution 46/23;

10. Renews its appeal to all States and national and international organizations to continue to extend humanitarian relief assistance with a view to alleviating the hardship of the Afghan refugees, in coordination with the United Nations High Commissioner for Refugees;

11. Calls upon all States to provide adequate financial and material resources to the Coordinator for United Nations Humanitarian and Economic Assistance Programmes relating to Afghanistan for the purposes of the speedy repatriation and rehabilitation of the Afghan refugees in their country as well as for its economic and social reconstruction;

12. Decides to consider, if it deems necessary, the question at its forty-ninth session under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

37th meeting
21 February 1992
[Adopted without a vote. See chap. IX.]

1992/6. Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

The Commission on Human Rights,

Recalling the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the sovereign equality, political independence and territorial integrity of States and the self-determination of peoples, as well as the need for scrupulous respect for the principle of the non-use of force or threat of use of force in international relations as developed in the Declaration on the Principles of

International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV)),

Recognizing that mercenaries are used for activities which violate these principles,

Alarmed at the continuing trend of unlawful international activities involving mercenaries in the perpetration of violent actions inimical to the constitutional order of States,

Concerned at the menace that the activities of mercenaries represent for all the developing countries of Asia, Latin America and the Caribbean and, in particular, Africa,

Gravely concerned at the loss of life, the damage to property and the negative effects on the economies of affected States, in the southern African region and elsewhere,

Taking note with appreciation of the report of the Special Rapporteur (E/CN.4/1992/12) and recalling that the General Assembly, in its resolution 46/89 of 16 December 1991, requested the Special Rapporteur to report to the General Assembly at its forty-seventh session on the use of mercenaries,

1. *Reaffirms* that the recruitment, use, financing and training of mercenaries should be considered as offences of grave concern to all States;

2. *Calls upon* all States that have not yet done so to consider taking early action to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

3. *Decides* to extend the mandate of the Special Rapporteur for three years to enable him to carry out further studies on the use of mercenaries and to make recommendations to the Commission accordingly;

4. *Requests* the Special Rapporteur to report to the Commission at its forty-ninth session on all further developments concerning the use of mercenaries, wherever this may occur.

37th meeting
21 February 1992
[Adopted without a vote. See chap. IX.]

1992/7. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa

The Commission on Human Rights,

Taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1990/3 of 20 August 1990,

Recalling General Assembly resolutions 39/15 of 23 November 1984, 41/95 of 4 December 1986, 43/92 of 8 December 1988 and 45/84 of 14 December 1990,

Recalling also Economic and Social Council resolution 1991/26 of 31 May 1991,

Noting the initiative taken by the President of South Africa on 2 February 1990, promising a new era in South Africa and an end to white domination,

Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap I, sect. A, draft resolution I.]

37th meeting
21 February 1992
[Adopted by a roll-call vote of 33 to 14,
with 5 abstentions. See chap. VI.]

1992/8. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

The Commission on Human Rights,

Reaffirming the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its conviction that racism, racial discrimination and apartheid constitute a total negation of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and apartheid,

Recalling its resolution 1991/11 of 22 February 1991, Bearing in mind General Assembly resolution 39/16 of 23 November 1984 on the Second Decade to Combat Racism and Racial Discrimination, in which the Assembly invited the Commission on Human Rights to continue exercising vigilance in identifying actual or emergent situations of racism and racial discrimination, to draw attention to them where discovered and to suggest remedial measures,

Bearing in mind the measures taken by the South African authorities to repeal or amend the major laws which had constituted the pillars of apartheid, as well as the progress made towards the establishment of a democratic, non-racial and united South Africa,

Convinced of the need to take sustained international measures for the elimination of all forms of racism and racial discrimination and the total eradication of apartheid in South Africa,

Noting with concern that, despite the efforts of the international community, the principal objectives of the First and Second Decades to Combat Racism and Racial Discrimination were not attained and that millions of human beings continue to this day to be the victims of varied forms and new trends of racism, racial discrimination and apartheid,

Recalling General Assembly resolution 46/85 of 16 December 1991, in which the Assembly noted with regret that the current situation of the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination was not encouraging, and strongly appealed to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund,

Noting that the topic for its thematic consideration in 1992 will be "Treatment of political prisoners and detainees in South Africa, particularly women and children",

Taking note of the report of the Secretary-General (E/CN.4/1992/39),

Convinced of the need for the General Assembly to proclaim in 1993 a third decade to combat racism and racial discrimination, as a means of intensifying international efforts in this field,

1. Commends all States that have ratified or acceded to the relevant international instruments to combat racism and racial discrimination;

2. Appeals to those States that have not yet done so to consider ratifying, acceding to and implementing the relevant international instruments, particularly the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention against Discrimination in Education adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 December 1960;

3. Invites all Governments and international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of these evils;

4. Strongly appeals to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme for the Decade of Action to Combat Racism and Racial Discrimination;

5. Requests the Secretary-General to continue to inform the Commission on Human Rights of the measures taken, pursuant to General Assembly resolutions 42/47 of 30 November 1987, 44/52 of 8 December 1989, 45/105 of 14 December 1990 and 46/85 of 16 December 1991 to ensure that the necessary and additional resources are included in the proposed programme budget for the biennium 1992-1993 to provide for the implementation of the activities of the Second Decade to Combat Racism and Racial Discrimination;

6. Also requests the Secretary-General to inform the Commission on Human Rights at its forty-ninth session of the progress made in carrying out the plan of activities for 1992-1993 so that the Commission can make its contribution thereto;

7. Takes note of the report of the Meeting of Experts to review the experience of countries in the operation of schemes of internal self-government for indigenous peoples (E/CN.4/1992/42 and Add.1), which took place at Nuuk, Greenland, from 24 to 28 September 1991;

8. Notes and commends the efforts made to coordinate all the programmes currently under implementation by the United Nations system that relate to the objectives of the Second Decade and encourages the Coordinator for the Second Decade to Combat Racism and Racial Discrimination to continue his efforts;

9. Welcomes the publication of the global compilation of national legislation against racism and racial discrimination (HR/PUB/1990/8) and requests the Secretary-General to transmit it to Governments as soon as possible;

10. Requests the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, in particular those of migrant workers, in the field of education, training and employment, and to submit, inter alia, specific recommendations for the implementation of measures to combat the effects of that discrimination;

11. Welcomes the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, and requests the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and to publish and distribute those texts as soon as possible;

12. Decides to give thematic consideration each year to a selected topic within the plan of activities for 1990-1993, as listed in the annex to General Assembly resolution 42/47;

13. Recalls that in its resolution 1991/11, it decided that the topic for such thematic consideration in 1992 would be "Treatment of political prisoners and detainees in South Africa, particularly women and children";

14. Decides that the topic for 1993 will be "Global study on the extent of dissemination of the International Convention on the Elimination of All Forms of Racial Discrimination";

15. Recommends that the General Assembly take appropriate steps, in due course, to launch a third decade to combat racism and racial discrimination, to begin in 1993;

16. Decides to consider at its forty-ninth session, as a matter of high priority, the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

37th meeting
21 February 1992
[Adopted without a vote. See chap. XIV.]

1992/9. Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development

The Commission on Human Rights,

Recalling that the purpose of the Universal Declaration of Human Rights is the full promotion and protection of human rights and fundamental freedoms, namely, civil, political, economic, social and cultural rights,

Recalling also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling further General Assembly resolution 32/130 of 16 December 1977,

Reaffirming the Declaration on Social Progress and Development proclaimed by the General Assembly in its resolution 2542 (XXIV) of 11 December 1969 and the Declaration on the Right to Development adopted by the Assembly in its resolution 41/128 of 4 December 1986, Welcoming the second progress report (E/CN.4/Sub.2/1991/17) on the realization of economic, social and cultural rights, prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Danilo Türk,

Bearing in mind Sub-Commission resolutions 1989/20 and 1989/21 of 31 August 1989, 1990/16 of 30 August 1990 and 1991/27 of 29 August 1991,

Recognizing that the activities of the various organizations in the United Nations system should be closely interrelated and that it is necessary to draw on all the efforts made in the various disciplines relating to man in order to promote all his rights effectively,

Having in mind the World Declaration on the Survival, Protection and Development of Children, and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children on 30 September 1990 (E/CN.4/1991/59, annex),

Having in mind also the considerations of the World Bank contained in the publication World Debt Tables 1991-92 (volume 1) of December 1991, relating to the external debt of developing countries,

Aware that the serious problem of foreign debt remains one of the most acute factors adversely affecting economic and social development and the living standards of the inhabitants in many developing countries, with serious effects, of a social nature,

Concerned about the repercussions of structural adjustment programmes in the realization of economic, social and cultural rights,

Considering that the new strategies for solving the debt problem, of both official and private origin, require policies of economic adjustment accompanied by growth and development, and that it is essential, within those policies, to give priority consideration in their implementation to human conditions, including standards of living, health, food, education and employment of the population, especially among the most vulnerable and low-income groups,

Taking into account the particular concern expressed by the General Assembly at the growing deterioration of living conditions in the developing world, at its negative effects on the full enjoyment of human rights, and especially at the very serious economic situation of the African continent and at the terrible effects of the heavy burden of external debt on the developing countries,

Recalling its resolutions 1989/15 of 2 March 1989, 1990/17 and 1990/18 of 23 February 1990, 1990/24 of 27 February 1990 and 1991/13 of 22 February 1991,

1. Expresses appreciation for the preliminary report (E/CN.4/Sub.2/1989/19) and first (E/CN.4/Sub.2/1990/19) and second (E/CN.4/Sub.2/1991/17) progress reports on the realization of economic, social and cultural rights prepared by, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities Mr. Danilo Türk;

2. Invites the Sub-Commission to submit the final report of its Special Rapporteur to the Commission on Human Rights at its forty-ninth session;

3. Invites Governments and interested intergovernmental and non-governmental organizations to provide the Special Rapporteur of the Sub-Commission with their comments and the information at their disposal about their experience concerning the impact of economic adjustment policies arising from foreign debt on the enjoyment of human rights;

4. Requests the Special Rapporteur of the Sub-Commission to take into account, in his final report, the comments and views provided on the subject;

5. Decides to continue to consider, at its forty-ninth session, the agenda item entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development".

37th meeting
21 February 1992
[Adopted by a roll-call vote of 43 to 2,
with 7 abstentions. See chap. VII.]

1992/10. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

The Commission on Human Rights,

Recalling that the peoples of the United Nations have reaffirmed in the Charter of the United Nations their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, and have determined to promote social progress and better standards of life in larger freedom, Mindful that the Universal Declaration of Human Rights provides that all persons are entitled to the realization of their economic, social and cultural rights, which are indispensable to their dignity and the free development of their personality,

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Convinced that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights,

Aware that, despite progress achieved by the international community with respect to the setting of standards for the realization of the economic, social and cultural rights contained in the International Covenant on Economic, Social and Cultural Rights, the implementation and promotion of these rights and the problems of their realization have not received sufficient attention within the framework of the United Nations system,

Recognizing that, in accordance with the provisions of the International Covenant on Economic, Social and Cultural Rights, Member States, individually and through international cooperation, should intensify their efforts to secure an adequate standard of living for all people, giving priority to those living in extreme poverty,

Recalling the essential importance of national efforts and international cooperation based on free consent to the realization of the right of all persons to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to a continuous improvement in living conditions,

Conscious of the need to secure full respect for the rights contained in the International Covenant on Economic, Social and Cultural Rights, including the rights of the most vulnerable and disadvantaged,

Recalling the Limburg Principles on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/CN.4/1987/17),

Recognizing that popular participation in its various forms is an important factor in development and in the full realization of all human rights,

Reaffirming the importance of increasing public awareness of the Committee on Economic, Social and Cultural Rights and the role that non-governmental organizations can play in that regard, Welcoming the efforts made with a view to an intensive study of the International Covenant on Economic, Social and Cultural Rights, and recognizing the urgent need for a more vigorous and effective multidisciplinary approach to the promotion and protection of the rights contained in the Covenant,

1. Welcomes the contribution of the Committee on Economic, Social and Cultural Rights, which continues to give impetus to the implementation of the economic, social and cultural rights contained in the Covenant;

2. Encourages States parties to the International Covenant on Economic, Social and Cultural Rights to give their full support and cooperation to the Committee on Economic, Social and Cultural Rights, inter alia, by ensuring that expert representatives are designated for the presentation of States' reports and by the preparation, in consultation with relevant government departments and agencies, of succinct information;

3. Welcomes the decision of the Committee on Economic, Social and Cultural Rights to urge all States parties to submit reports on time and to take appropriate measures in relation to those States parties whose reports are long overdue;

4. Welcomes the continuing adoption by the Committee on Economic, Social and Cultural Rights of general comments and encourages the Committee to continue using that mechanism to develop a fuller appreciation of the obligations of States parties under the Covenant;

5. Takes note with particular interest of General Comment No. 4 (1991) on the right to adequate housing (E/1992/23, annex III) and the reaffirmed importance attached in this framework to respect for human dignity and the principle of non-discrimination;

6. Takes note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/26 of 29 August 1991, entitled "Promoting the realization of the right to adequate housing";

7. Invites States parties, in conformity with article 2, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights and in pursuance of General Comment No. 3 (1990) (E/1991/23, annex III), to consider identifying specific national benchmarks designed to give effect to the minimum core obligation to ensure the satisfaction of minimum essential levels of each of the rights;

8. Affirms that full respect of the rights contained in the International Covenant on Economic, Social and Cultural Rights is inextricably linked with the process of development, the central purpose of which is the realization of the potentialities of the human person in harmony with the effective participation of all members of society in relevant decision-making processes as agents and beneficiaries of development, as well as fair distribution of the benefits of development;

9. Invites Member States to include measures to ensure the promotion and protection of human rights in national development policies and programmes;

10. Welcomes the continuing efforts made by the Committee on Economic, Social and Cultural Rights to develop in greater depth understanding of the relevant issues of the Covenant by holding a general discussion on one of its specific rights or articles, and urges States parties, the specialized agencies and non-governmental organizations to contribute actively to the Committee's work through the various opportunities provided for by both written statements and oral interventions;

11. Takes note with interest of the general discussion on the question of economic and social indicators which took place during the sixth session of the Committee (E/1992/23, chap. VII);

12. Welcomes the second progress report (E/CN.4/Sub.2/1991/17) on the realization of economic, social and cultural rights prepared by the Special Rapporteur of the Sub-Commission, Mr. Danilo Türk, and takes note with interest of his study on the question of economic and social indicators and their use in monitoring the realization of economic, social and cultural rights, and the particular importance attached in the report to the question of democratic, popular participation;

13. Requests the Secretary-General to organize, under the United Nations programme for human rights activities in 1992-1993, a seminar of experts for the discussion of appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, and recommends that the work developed by the Committee on Economic, Social and Cultural Rights and by the Special Rapporteur of the Sub-Commission be reflected in the documentation for the seminar;

14. Also requests the Secretary-General to promote coordination of the human rights activities of the United Nations and those of development agencies with a view to drawing upon their relevant expertise and support;

15. Urges the Economic and Social Council, in reviewing its activities pursuant to General Assembly resolution 41/213 of 19 December 1986, to bear in mind its central responsibility for effective implementation of the International Covenant on Economic, Social and Cultural Rights, while paying due regard to the distinctive character of the Committee on Economic, Social and Cultural Rights in its capacity as a treaty body;

16. Invites the Economic and Social Council, pursuant to article 22 of the Covenant, and taking into account General Comment No. 2 (1990) of the Committee on Economic, Social and Cultural Rights (E/1990/23, annex III) to identify ways in which international cooperation and technical assistance would contribute, particularly in developing countries, to the effective progressive implementation of the rights recognized in the Covenant;

17. Invites the Special Rapporteur of the Sub-Commission, when preparing his next report on problems, policies and progressive measures relating to a more effective realization of economic, social and cultural rights, to take into account comments made in the Commission of Human Rights, and requests that in the report priority be given to identifying practical strategies to promote for everyone the economic, social and cultural rights contained in the Covenant, paying particular attention to the most vulnerable and disadvantaged;

18. Decides to consider issues raised by the present resolution at its forty-ninth session under the agenda item entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights".

37th meeting
21 February 1992
[Adopted without a vote. See chap. VII.]

1992/11. Human rights and extreme poverty

The Commission on Human Rights,

Recalling that the peoples of the United Nations have reaffirmed in the Charter of the United Nations their faith in fundamental human rights and in the dignity and worth of the human person,

Mindful that the Universal Declaration of Human Rights provides that everyone has the right to a standard of living adequate for the health and well-being of himself and his family,

Recalling that, in accordance with the Universal Declaration of Human Rights, the International Covenants on Human Rights recognize that the ideal of free human beings, enjoying freedom from fear and want, can be achieved only if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

Reaffirming that all human rights and fundamental freedoms are indivisible and interdependent and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of other rights,

Recalling that the elimination of widespread poverty, including its most persistent forms, and the full enjoyment of economic, social and cultural rights and of civil and political rights remain interrelated goals, *Deeply concerned* that, despite the progress achieved by the international community in ensuring the full enjoyment of human rights, extreme poverty continues to spread in all countries of the world, regardless of their economic, social and cultural situation, and seriously affects the most vulnerable and disadvantaged individuals, families and groups, who are thus hindered in the exercise of their human rights and their fundamental freedoms,

Recognizing, moreover, that respect for and promotion of all human rights are essential if all individuals are to participate freely and responsibly in the development of the society in which they live,

Aware of the need for a better understanding of extreme poverty and its causes, including those related to development, in order to promote the human rights of the poorest,

Recalling its resolution 1990/15 of 23 February 1990, in which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to carry out a specific study of extreme poverty and exclusion from society, and its resolution 1991/14 of 22 February 1991, in which it recommended that the Sub-Commission should give attention more particularly to the conditions in which the poorest themselves can convey their experience and their thoughts and so contribute to a better understanding of the harsh reality of their lives, its causes and what it means for the international community,

Recalling also its resolution 1991/12 of 22 February 1991,

Recalling further General Assembly resolution 46/121 of 17 December 1991, which reaffirms that extreme poverty and exclusion from society constitute a violation of human dignity, and stresses the need for an in-depth and complete study of extreme poverty based on the experience of the poorest,

Recalling decision 1991/6 adopted by the Executive Board of the United Nations Children's Fund, in which it is emphasized, *inter alia*, that a more thorough knowledge of the situation of the poorest, of their living conditions and the preconditions for their partnership would make it easier to reach the groups in question, particularly children,

Mindful, in this regard, of the provisions of the Convention on the Rights of the Child,

Having taken note of the report of the Secretary-General (E/CN.4/Sub.2/1991/38 and Add.1 and 2), prepared on the basis of information provided in particular by Governments, the specialized agencies, intergovernmental organizations and non-governmental organizations,

Having considered the report of Mr. Eduardo Suescún Monroy, entitled "Method and plan of work for the study on human rights and extreme poverty" (E/CN.4/Sub.2/1991/18), Bearing in mind, in this regard, the action already taken in the relevant forums to ensure the realization of economic, social and cultural rights, and in particular the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities showing the links between extreme poverty and human rights, and underlining the importance of further study of this question,

1. Reaffirms that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. Draws the attention of the General Assembly, the specialized agencies and intergovernmental organizations to the contradiction between the existence of situations of extreme poverty and exclusion from society, which must be overcome, and the duty to guarantee full enjoyment of human rights;

3. Calls upon States, the specialized agencies, United Nations bodies and other international organizations, including non-governmental organizations, to give the necessary attention to this problem and to continue to make their views on human rights and extreme poverty known to the Secretary-General, and calls upon him to ensure that this information is disseminated as widely as possible;

4. Encourages the Committee on Economic, Social and Cultural Rights to give greater attention, in its work, to the question of extreme poverty and exclusion from society;

5. Recalls that, to ensure the protection of the rights of all individuals, non-discrimination as regards the poorest and the full exercise of all human rights and fundamental freedoms, a better understanding is needed of the conditions of populations living in poverty, together with deliberations based on the experience and thoughts conveyed by the poorest themselves and by those working with them;

6. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake a study of this question and, in particular, of the following aspects:

(a) The effects of extreme poverty on the enjoyment and exercise of all human rights and fundamental freedoms of those experiencing it;

(b) The efforts of the poorest themselves to achieve the exercise of those rights and to participate fully in the development of the society in which they live;

(c) The conditions in which the poorest may effectively convey their experience and their thoughts and become partners in the realization of human rights;

(d) The means of ensuring a better understanding of the experience and thoughts of the poorest and of the persons working with them;

7. Requests the Sub-Commission to accord priority in its work to the question of human rights and extreme poverty and to report to the Commission at its forty-ninth session.

37th meeting
21 February 1992
[Adopted without a vote. See chap. VII.]

1992/12. Question of trade union rights

The Commission on Human Rights,

Reaffirming that all human rights and fundamental freedoms are indivisible and interrelated, and that the promotion and protection of one category of rights does not exempt or excuse States from the duty of promoting and protecting other rights,

Recalling that the right of everyone to form and to join trade unions is embodied in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and that this and other fundamental trade union rights are guaranteed by the freedom of association conventions of the International Labour Organisation,

Recognizing the most important role played by trade unions in efforts to achieve social justice,

Underlining the most important role played by the International Labour Organisation in the promotion and protection of trade union rights,

Recalling that the Declaration on the Right to Development adopted by the General Assembly on 4 December 1986 (resolution 41/128, annex) calls on States to encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights,

Considering that trade unions can contribute most significantly to the realization of effective popular participation and thus of the right to development and that violations of their rights are therefore serious obstacles to development,

Recalling its resolution 1990/16 of 23 February 1990, in which it expressed deep concern that in many countries persons exercising their trade union rights in striving for a more just society and human dignity were subject to serious violations of their fundamental human rights, including the right to life, and appealed to States to ensure the conditions for the free and full exercise of trade union rights,

Deeply regretting that violations of trade union rights have continued in many countries since then,

1. Appeals once more to States to ensure that conditions are such that all persons under their jurisdiction can exercise their trade union rights freely and in full;

2. Invites Member States that have not yet done so to ratify and apply in full the International Covenants on Human Rights as well as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) of the International Labour Organisation;

3. Calls upon States to involve representative trade union organizations in effective processes of popular participation and development.

37th meeting
21 February 1992
[Adopted without a vote. See chap. VII.]

1992/13. The right to development

The Commission on Human Rights,

Recalling the resolutions of the General Assembly and its own resolutions on the right to development,

Reaffirming the principles contained in the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the report on the Global Consultation on the Realization of the Right to Development as a Human Right (E/CN.4/1990/9/Rev.1),

Taking note of the report of the Secretary-General on the effective implementation of the Declaration on the Right to Development (E/CN.4/1992/10), prepared in accordance with Commission on Human Rights resolution 1991/15 of 22 February 1991,

Expressing its appreciation of the increasing recognition, as noted in that report, of the role of the Commission on Human Rights as an appropriate forum for the discussion of questions of development in its relationship to human rights,

Noting the proposals on how to implement and promote further the right to development contained in chapter III of that report, as well as the continuing need for concrete proposals from the Secretary-General on the effective implementation and promotion of the Declaration on the Right to Development, Recalling General Assembly resolution 45/155 of 18 December 1990, in which the Assembly decided, inter alia, that one of the objectives of the World Conference on Human Rights in 1993 was to examine the relation between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, recognizing the importance of creating the conditions whereby everyone may enjoy those rights as set out in the International Covenants on Human Rights,

1. Reaffirms the importance of the right to development;

2. Takes note of the report of the Secretary-General on the effective implementation of the Declaration on the Right to Development;

3. Reiterates its call to the Preparatory Committee for the World Conference on Human Rights, in examining the relationship between development and the enjoyment of human rights, to take fully into account the Declaration on the Right to Development, as well as other relevant texts, including those that refer to the Global Consultations on the Realization of the Right to Development;

4. Requests the Secretary-General to put forward concrete proposals on the effective implementation and promotion of the Declaration on the Right to Development to the Commission on Human Rights at its forty-ninth session;

5. Decides to consider at its forty-ninth session the agenda item entitled "Question of the realization of the right to development".

38th meeting
21 February 1992
[Adopted by a roll-call vote of 48 to 1,
with 3 abstentions. See chap. VIII.]

1992/14. Status of the International Covenants on Human Rights

The Commission on Human Rights,

Recalling its resolution 1991/16 of 22 February 1991 and General Assembly resolution 46/113 of 17 December 1991,

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the heart of the International Bill of Human Rights,

Noting with special satisfaction General Assembly resolution 46/81 of 16 December 1991, adopted on the occasion of the twenty-fifth anniversary of the adoption of the International Covenants on Human Rights, in which the Assembly solemnly declared that acceptance of the Covenants contributed greatly to the protection of human rights and fundamental freedoms, *Having considered* the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights (A/46/393),

Noting the entry into force on 11 July 1991 of the Second Optional Protocol aiming at the abolition of the death penalty,

Welcoming the fact that recent increases in ratification of or accession to the Covenants have brought the total number of States parties to each of them to more than one hundred, while noting at the same time that a number of States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Bearing in mind its responsibility for the coordination of activities concerning human rights in the United Nations system, in accordance with Economic and Social Council resolution 1979/36 of 10 May 1979,

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

1. *Reaffirms* the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Appeals strongly* to all States that have not yet become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights to do so, as well as to consider acceding to the Optional Protocols to the International Covenant on Civil and Political Rights;

3. *Invites* the Secretary-General to intensify systematic efforts to encourage States to become parties to the Covenants and, through the programme of advisory services in the field of human rights, to provide such services as may be sought by States that are not parties to the Covenants, with a view to assisting them to ratify them or accede thereto;

4. *Again invites* States parties to the International Covenant on Civil and Political Rights that have not yet done so to consider making the declaration provided for in article 41 of the Covenant;

5. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

6. Recommends to States parties that they periodically review any reservations made in respect of the provisions of the International Covenants on Human Rights to ascertain whether they should be maintained;

7. Stresses to States parties the importance of avoiding the erosion of human rights by derogation, and underlines the necessity for strict observance of the agreed condition and procedure for derogation under article 4 of the International Covenant on Civil and Political Rights and the need for States parties to provide full and timely information also during states of emergency, so that the justification and appropriateness of measures taken in these circumstances can be assessed;

8. Expresses its satisfaction with the serious and constructive manner in which the Human Rights Committee and the Committee on Economic, Social and Cultural Rights are undertaking their functions and welcomes efforts of the Committees to improve their methods of work;

9. Welcomes the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights, and appeals to other bodies dealing with similar questions of human rights to respect these uniform standards as expressed in the general comments of the Human Rights Committee;

10. Welcomes also the efforts of the Committee on Economic, Social and Cultural Rights in the preparation of general comments on the provisions of the International Covenant on Economic, Social and Cultural Rights;

11. Urges States parties to fulfil in good time their reporting obligations under the International Covenants on Human Rights whenever so requested by the Committees;

12. Also urges States parties to take duly into account, in implementing the provisions of the Covenants, the observations made at the conclusion of the consideration of their reports in the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights;

13. Invites States parties to give particular attention to dissemination at the national level of the reports they have submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights and to the summary records relating to the examination of those reports by the Committees;

14. Encourages once again all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many languages as possible and to disseminate them as widely as possible in order to make them better known among the general public;

15. _Invites_ the Economic and Social Council to give favourable consideration to the request by the Committee on Economic, Social and Cultural Rights to hold an additional session during the first half of 1993 to enable the Committee to consider the large backlog of State party reports that have accumulated (E/1992/23, chap. I, draft decision I);

16. _Requests_ the Secretary-General to consider ways and means of assisting States parties to the Covenants in the preparation of their reports, including seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports, and the exploration of other possibilities available under the regular programme of advisory services in the field of human rights;

17. _Also requests_ the Secretary-General to provide the Human Rights Committee with additional means to deal effectively and in a timely manner with the increasing workload under the Optional Protocols;

18. _Further requests_ the Secretary-General to submit to the Commission on Human Rights, at its forty-ninth session, a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations;

19. _Decides_ to include in the provisional agenda for its forty-ninth session the agenda item entitled "Status of the International Covenants on Human Rights".

38th meeting
21 February 1992
[Adopted without a vote. See chap. XV.]

1992/15. _Effective functioning of bodies established pursuant to United Nations human rights instruments_

The Commission on Human Rights,

Recalling General Assembly resolution 46/111 of 17 December 1991 and Commission on Human Rights resolution 1991/20 of 1 March 1991, as well as other relevant resolutions,

Reaffirming that the effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights, to promote universal respect for and observance of human rights and fundamental freedoms, *Considering* that the effective functioning of treaty bodies established pursuant to United Nations human rights instruments is indispensable for the full and effective implementation of such instruments,

Expressing concern about the continuing and increasing backlog of reports on implementation by States parties of United Nations human rights instruments and about delays in consideration of reports by the treaty bodies,

Expressing concern also about the non-fulfilment by many States parties of their financial obligations under the relevant United Nations instruments on human rights,

Aware that the General Assembly, in its resolution 46/111, reaffirmed its responsibility to ensure the proper functioning of the said treaty bodies and, in this connection, reaffirmed the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(b) Securing sufficient financial resources to overcome existing difficulties with their effective functioning;

(c) Addressing questions of both reporting obligations and financial implications whenever elaborating any further instruments on human rights,

Recalling the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988 (E/CN.4/1989/62, annex), and the endorsement of the recommendations aimed at streamlining, rationalizing and otherwise improving reporting procedures by the General Assembly in its resolution 44/135 of 15 December 1989 and the Commission on Human Rights in its resolution 1989/47 of 6 March 1989,

Taking note of the conclusions and recommendations of the third meeting of persons chairing the human rights treaty bodies, held at Geneva from 1 to 5 October 1990 (A/45/636, annex, sect. VI),

Taking note with appreciation of the study on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations human rights instruments prepared by the Independent Expert pursuant to Commission resolution 1989/47 (A/44/668, annex),

Taking note with appreciation also that the Economic and Social Council, in its decision 1990/226 of 25 May 1990, approved the recommendation of the Commission for computerizing the work of the treaty-monitoring bodies in relation to reporting systems, and requested the Secretary-General to include the annual recurrent cost of the system proposed by the Task Force on Computerization appointed by the Secretary-General (E/CN.4/1990/39, annex, para. 63) in the programme budget for the biennium 1992-1993, when the proposed system was expected to become operational, Noting that the General Assembly, in its resolution 45/85 of 14 December 1990, endorsed the recommendations of the Task Force on Computerization with a view to increasing efficiency and facilitating compliance by States parties with their reporting obligations and the examination of reports by the treaty bodies, and requested the Secretary-General to give high priority to establishing a computerized database to improve the efficiency and effectiveness of the functioning of the treaty bodies,

1. Endorses the continuing efforts aimed at streamlining, rationalizing and otherwise improving reporting procedures of the treaty bodies and the Secretary-General within their respective spheres of competence;

2. Welcomes the conclusions and recommendations with regard to the better functioning of the treaty bodies contained in the study on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations human rights instruments;

3. Takes note of the report of the Secretary-General (E/CN.4/1992/44) on the comments of the treaty bodies, other than the Human Rights Committee, concerning the study on possible long-term approaches;

4. Endorses the recommendation in the report of the third meeting of persons chairing the human rights treaty bodies to institutionalize the meetings and requests the General Assembly to take appropriate action to enable these meetings to be held on a biennial basis;

5. Requests that the meeting of persons chairing the human rights treaty bodies in 1992 include on its agenda the question of the extent of reservations to human rights instruments;

6. Stresses the continuing need for consultation and exchange of information between all treaty bodies, including the Committee on the Elimination of Discrimination against Women;

7. Requests the Secretary-General to give consideration to the proposal endorsed by the second and third meetings of persons chairing the human rights treaty bodies and by the Committee on Economic, Social and Cultural Rights (see E/1992/23, chap. X), to establish a committee resource room for the purpose of gathering and facilitating access to the various sources of information that are indispensable for the effective functioning of the various treaty bodies;

8. Urges States parties to make every effort to meet their reporting obligations and to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining and improving reporting procedures;

9. Also urges all States parties to meet without delay all their financial obligations pursuant to United Nations human rights instruments;

10. Invites meetings of States parties to consider ways and means of strengthening the collection of contributions and of making procedures more effective and, if necessary, to reconsider the position of States parties that are substantially in default on their assessed contributions;

11. Welcomes the endorsement by the General Assembly in its resolution 46/111 of the recommendation of the third meeting of persons chairing the human rights treaty bodies and of the Independent Expert on possible long-term approaches that the Assembly should take appropriate measures to ensure the financing of the human rights treaty bodies from the regular budget of the United Nations;

12. Requests the General Assembly to mandate the Secretary-General to take the appropriate steps in order to finance the meetings of persons chairing the human rights treaty bodies from the available resources of the regular budget of the United Nations, when necessary, with the proviso that reimbursement shall eventually be made in every instance from the contributions of States parties to conventions concerned or from other appropriate sources;

13. Requests the Secretary-General to submit to the General Assembly at its forty-seventh session a further report examining the financial, legal and other implications of providing full funding for the operation of all human rights treaty bodies;

14. Reiterates its conviction that in standard-setting every effort should be made to maximize normative consistency and that any new standards should take full account of the factors enumerated in General Assembly resolution 41/120 of 4 December 1986;

15. Requests the Secretary-General to give priority to expediting the implementation of the recommendations of the Task Force on Computerization (E/CN.4/1990/39, annex) as soon as possible by requesting the Member States of the United Nations, in particular States which are parties to various human rights instruments, to make generous voluntary contributions to cover the initial one-time cost of the proposed system;

16. Also requests the Secretary-General to prepare an inventory of all international human rights standard-setting activities in order to facilitate better informed decision-making;

17. Further requests the Secretary-General to ensure that recent periodic reports of States parties to treaty-monitoring bodies and the summary records of committee discussions pertaining to them are made available in the United Nations information centres in the countries submitting those reports;

18. Requests the Secretary-General to ensure that the United Nations Manual on Human Rights Reporting is available in all official languages at the earliest opportunity;

19. Decides to consider the question on a priority basis at its forty-ninth session under the agenda item entitled "Effective functioning of bodies established pursuant to United Nations human rights instruments".

38th meeting
21 February 1992
[Adopted without a vote. See chap. XVI.]

1992/16. Rights of persons belonging to national, ethnic, religious and linguistic minorities

The Commission on Human Rights,

Recalling its decision taken on 8 February 1978 at its thirty-fourth session (E/1978/34, para. 297) to create an informal open-ended working group to draft a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, as well as its subsequent resolutions on the subject,

Recalling also Economic and Social Council resolution 1991/30 of 31 May 1991, in which the Council authorized an open-ended working group of the Commission on Human Rights to hold meetings in December 1991 to complete its second reading of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, with a view to submitting the text to the Commission at its forty-eighth session,

Recalling further General Assembly resolution 46/115 of 17 December 1991 in which the Assembly encouraged the Commission on Human Rights to complete the final text of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities as soon as possible and to transmit it for adoption to the Assembly, through the Economic and Social Council,

Considering that the United Nations has an important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system in promoting and protecting the rights of persons belonging to national, ethnic, religious and linguistic minorities,

Recognizing the need to ensure even more effective implementation of international instruments with regard to the rights of persons belonging to national, ethnic, religious and linguistic minorities,

1. Takes note with satisfaction of the report of the open-ended working group set up by the Commission to draft a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (E/CN.4/1992/48 and Corr.1) and, in particular, expresses its appreciation of

the fact that the open-ended working group was able to complete the second reading of the draft declaration and to submit the text of the draft declaration to the Commission on Human Rights at its forty-eighth session;

2. *Approves* the text of the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities;

3. *Decides* to consider the agenda item entitled "Rights of persons belonging to national or ethnic, religious and linguistic minorities" at its forty-ninth session, in particular with a view to considering measures to give effect to this draft declaration, when adopted;

4. *Recommends* the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution II]

38th meeting
21 February 1992
[Adopted without a vote. See chap. XVIII.]

1992/17. *Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*

The Commission on Human Rights,

Conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling General Assembly resolution 36/55 of 25 November 1981, in which the Assembly proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Taking note of General Assembly resolution 46/131 of 17 December 1991, in which the Assembly requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Taking note also of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/3 of 20 August 1991,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Conscious of the importance of education in ensuring tolerance of religion and belief, Recognizing the valuable contribution that can be made to the encouragment of understanding, tolerance and respect in matters relating to freedom of religion or belief by activities undertaken on a regional basis,

Recognizing also that religious bodies, non-governmental organizations and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion and belief,

Recalling that, in its resolution 1990/27 of 2 March 1990, it decided to extend for two years the mandate of the Special Rapporteur of the Commission appointed to examine incidents and governmental actions in all parts of the world which are inconsistent with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to recommend remedial measures, as appropriate,

Having carefully examined the report of the Special Rapporteur, Mr. Angelo Vidal d'Almeida Ribeiro (E/CN.4/1992/52),

Seriously concerned that intolerance and discrimination on the grounds of religion or belief continue to occur in many parts of the world, as outlined in the afore-mentioned report of the Special Rapporteur,

Believing that further efforts are therefore required in order to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of intolerance and of discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;

2. Expresses its thanks to the Special Rapporteur and takes note of his report and the various views expressed thereon during the forty-eighth session of the Commission;

3. Urges States, in accordance with their respective constitutional systems and with such internationally accepted instruments as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

4. Calls upon States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and, in this context, to examine, where necessary, the supervision and training of members of law enforcement bodies, civil servants, educators and other public officials to ensure that,

in the course of their official duties, they respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

5. Invites the United Nations University and other academic and research institutions to undertake programmes and studies on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief;

6. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure that appropriate measures are taken to this end in the World Public Information Campaign for Human Rights;

7. Reiterates, therefore, its invitation to the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief in all the official languages of the United Nations and in national languages, and to take all appropriate measures to make the text available for use by the United Nations information centres, as well as by other interested bodies;

8. Encourages the Human Rights Committee to give priority to its announced intention to prepare a general comment on article 18 of the International Covenant on Civil and Political Rights, dealing with freedom of thought, conscience and religion;

9. Welcomes the efforts of non-governmental organizations to promote the implementation of the Declaration, including the submission of their views to the Preparatory Committee for the World Conference on Human Rights, bearing in mind also the emphasis which the Special Rapporteur places on the importance of inter-faith dialogue;

10. Decides to extend for three years the mandate of the Special Rapporteur appointed to examine incidents and governmental action in all parts of the world which are inconsistent with the provisions of the Declaration and to recommend remedial measures, as appropriate;

11. Invites the Special Rapporteur, in carrying out his mandate, to continue to bear in mind the need to be able to respond effectively to credible and reliable information that comes before him, to seek the views and comments of the Government concerned on any information which he intends to include in his report, and to carry out his work with discretion and independence;

12. Calls upon Governments that have not done so to cooperate with the Special Rapporteur, inter alia, by responding expeditiously to requests for such views and comments and, in this connection, calls especially for the cooperation of the Governments whose failure to respond has been noted in successive reports of the Special Rapporteur;

13. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

14. *Requests* the Secretary-General to provide all necessary assistance to the Special Rapporteur to enable him to report to the Commission at its forty-ninth session;

15. *Also requests* the Secretary-General to report to the Commission at its forty-ninth session on measures taken to implement the present resolution;

16. *Decides* to continue its consideration of the question at its forty-ninth session under the agenda item entitled "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief".

38th meeting
21 February 1992
[Adopted without a vote. See chap. XX.]

1992/18. *Question of Western Sahara*

The Commission on Human Rights,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its earlier resolutions, the latest of which is resolution 1991/5 of 15 February 1991,

Recalling also that, on 30 August 1988, the Kingdom of Morocco and the Frente Popular para La Liberación de Saguia el-Hamra y de Río de Oro gave their agreement in principle to the proposals of the Secretary-General of the United Nations and the current Chairman of the Conference of Heads of State and Government of the Organization of African Unity, in the framework of their joint mission of good offices,

Recalling further Security Council resolution 621 (1988) of 20 September 1988,

Recalling Security Council resolution 658 (1990) of 27 June 1990, approving the report of the Secretary-General (S/21360), dated 18 June 1990, which contained the full text of the settlement proposals as accepted by the two parties, as well as an outline of the Secretary-General's plan for the implementation of those proposals, *Recalling also* Security Council resolution 725 (1991) of 31 December 1991,

Noting with satisfaction the paragraph relating to Western Sahara in the report of the Tenth Ministerial Conference of the Non-Aligned Countries, held at Accra from 2 to 7 September 1991 (A/46/726, annex, para. 64),

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples (A/46/23, chap. VIII),

Having also examined the report of the Secretary-General (A/46/589),

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Welcomes* the unanimous adoption by the Security Council of resolution 690 (1991) on 29 April 1991 in which the Council approved the report of the Secretary-General (S/22464 and Corr.1) submitted to it on 19 April 1991 and decided to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara;

3. *Also welcomes* the entry into force of the cease-fire in Western Sahara on 6 September 1991, in accordance with the proposal of the Secretary-General accepted by the Kingdom of Morocco and the Frente Popular para La Liberación de Saguia el-Hamra y de Río de Oro;

4. *Takes note with satisfaction* of resolution 725 (1991), adopted unanimously by the Security Council;

5. *Endorses* the call by the Security Council upon the two parties to continue to cooperate fully with the Secretary-General in the implementation of his plan as described in his report of 18 June 1990 and amplified in his report of 19 April 1991;

6. *Pays tribute* to the Secretary-General for his action with a view to settling the question of Western Sahara by the implementation of his peace plan;

7. *Expresses its full support* for the efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in accordance with the objectives mentioned in his report of 19 April 1991;

8. *Recalls* that the General Assembly has requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the ongoing referendum process, and to report thereon to the Assembly at its forty-seventh session;

9. *Decides* to follow the development of the situation in Western Sahara and to consider the question at its forty-ninth session, as a matter of high priority, under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

47th meeting
28 February 1992
[Adopted without a vote. See chap. IX.]

1992/19. *Situation of human rights in South Africa*

The Commission on Human Rights,

Recalling its resolutions 1989/5 of 23 February 1989, 1990/26 of 27 February 1990 and 1991/21 of 1 March 1991,

Reaffirming the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted by consensus on 14 December 1989 by the General Assembly in its resolution S-16/1, and recalling Assembly resolutions 45/176 A of 19 December 1990 and 46/79 A of 13 December 1991, which form the basis for peaceful change in South Africa,

Recalling the report of the Special Committee against Apartheid (A/46/22), the second report of the Secretary-General on progress made in the implementation of the Declaration (A/45/1052), as well as the reports of the Secretary-General on the coordinated approach by the United Nations system on questions relating to South Africa (A/46/648) and on the concerted and effective measures aimed at eradicating apartheid (A/46/499),

Having examined the interim report of the Ad Hoc Working Group of Experts on Southern Africa (E/CN.4/1992/8),

Welcoming the overall progress made in initiating broad-based negotiations on the dismantling of apartheid through peaceful means in order to secure the establishment of a non-racial democracy in South Africa,

Noting the measures taken by the South African authorities to repeal the major laws which had constituted the pillars of apartheid, namely, the Population Registration Act, the Land Acts and the Group Areas Act, and to amend the Internal Security Act,

Commending the signatories of the National Peace Accord aimed at combating political violence and the efforts by all parties to promote a congenial atmosphere to permit the holding of broad-based peaceful negotiations on the dismantling of apartheid, Deeply concerned at the escalation of violence in townships with the alleged complicity of elements of security organs and its attendant threat to the right to life, at the failure to resolve to the satisfaction of all parties the issue of political prisoners and at continuing reports of deaths in detention and police custody,

Welcoming the convening of the Convention for a Democratic South Africa to lay the groundwork for drafting a non-racial, democratic constitution and forming an interim government,

Welcoming also the agreement concluded between the United Nations High Commissioner for Refugees and the South African authorities to enable the voluntary repatriation of refugees and exiles,

Concerned at reports containing evidence that children are still subjected to arbitrary detention and inhuman treatment in South Africa,

Concerned also that discriminatory laws and the provisions of the Internal Security Act permitting detention without charge remain in effect and that the prisoner release process has not yet been completed,

Noting with concern that the "homelands" still remain outside the legal, political and administrative framework of South Africa,

Gravely disturbed at the socio-economic inequalities in South Africa and at the accumulated negative impact of apartheid on the social, economic and cultural rights of the majority of the people of South Africa,

Convinced that international pressure has accelerated positive developments in South Africa and continues to be necessary in that regard,

1. Reaffirms its support for the legitimate struggle of the South African people for the total eradication of apartheid through peaceful means and their right to establish a non-racial, democratic system which is consistent with the International Bill of Human Rights;

2. Also reaffirms the international consensus to oppose apartheid, support the peaceful struggle to eradicate apartheid and facilitate the creation of a non-racial, democratic South Africa;

3. Commends the Ad Hoc Working Group of Experts on Southern Africa for the updated documentation on the situation of human rights in South Africa contained in its interim report;

4. Congratulates all anti-apartheid groups and individuals inside and outside South Africa for their commitment and positive contributions to the efforts to dismantle apartheid;

5. Reiterates its deep concern at reported cases of arbitrary detention and inhuman treatment of detained children in South Africa;

6. *Demands* that the South African authorities fully respect section 29 of the Prisons Act, prevent the inhuman treatment of children in South Africa and ensure their basic and legitimate freedoms of movement, association and education;

7. *Calls upon* the South African authorities to exercise effectively their responsibility to maintain law and order, to stop the violence, to prosecute its perpetrators and to protect all citizens, irrespective of their political affiliation;

8. *Also calls upon* the South African authorities to allow an impartial investigation into the activities and conduct of elements of the security organs and State-funded front organizations concerning their alleged complicity in fomenting township violence and harassing legitimate anti-apartheid groups and their supporters;

9. *Urges* all the signatories of the National Peace Accord to abide by and to implement its provisions, and appeals to the non-signatories to observe the spirit of the Accord in order to enhance the atmosphere in which peaceful change can take place;

10. *Welcomes* the formation of the Patriotic/United Front in October 1991, aimed at promoting unity among anti-apartheid groups and enhancing their position in substantive broad-based negotiations on a new constitution and arrangements for the transition to a democratic order;

11. *Also welcomes* the convening of the Convention for a Democratic South Africa and the ongoing process, initiated by the Convention, to negotiate, *inter alia*, the principles and procedures for drafting a new constitution for South Africa and the establishment of a non-racial interim government as a step towards a non-racial, democratic government based on universal equal suffrage for a united South Africa;

12. *Urges* the South African authorities to improve the climate for legitimate political activity by releasing immediately any remaining political prisoners, putting an end to violence and permitting the unhindered return of refugees and exiles;

13. *Calls upon* the South African authorities to repeal all the provisions of the Internal Security Act which provide for detention without trial;

14. *Reiterates the call* to the South African authorities to expedite legal and administrative measures to abolish the system of "homelands" and to reincorporate them into South Africa;

15. *Urges* the South African authorities to repeal the remaining discriminatory apartheid laws, introduce the necessary legal and administrative measures to correct entrenched socio-economic inequalities and to implement and enforce without delay that legislation in the areas of education, health, housing and social welfare;

16. Also urges the South African authorities to advance the dismantling of apartheid by acceding to the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination;

17. Welcomes the international consensus to lift restrictions on people-to-people contacts and cultural and scientific links with South Africa in recognition of the progress made so far towards the dismantling of apartheid;

18. Appeals to the international community to pursue a measured and flexible strategy to influence positively the political transition in South Africa through the phased application of appropriate pressures and to provide needed assistance and encouragement to the parties concerned in accordance with the extent and direction of change in South Africa;

19. Reiterates the call to all Governments to observe fully the mandatory arms embargo and the request to the Security Council to continue to monitor effectively the implementation of the embargo, as decided in Security Council resolution 418 (1977) of 4 November 1977;

20. Appeals to the international community to mobilize and increase material and financial assistance to the victims of apartheid in order to redress the socio-economic inequalities, particularly in the critical and urgent areas of education, health and housing;

21. Also appeals to the international community to assist the United Nations High Commissioner for Refugees and other humanitarian organizations in the repatriation and reintegration of South African refugees and exiles in safety and with dignity;

22. Further appeals to the international community to assist and enhance the role of humanitarian and human rights groups in extending assistance to victims of apartheid and in monitoring the situation of human rights in South Africa;

23. Calls upon the international community to mobilize additional resources in order to assist the front-line and neighbouring States, especially Mozambique and Angola, in the reconstruction of their socio-economic infrastructure and the rehabilitation of the victims of internal and external displacements after years of destabilization;

24. Renews its request to the South African authorities to allow the Ad Hoc Working Group of Experts on Southern Africa to visit South Africa, and to cooperate with it in appraising developments in the situation of human rights in South Africa;

25. *Calls upon* the Centre for Human Rights to respond at the appropriate time, as guided by the Secretary-General, to the needs of the changing situation in South Africa during the period of transition, in accordance with General Assembly resolution 46/79 A adopted by consensus;

26. *Requests* the Ad Hoc Working Group of Experts on Southern Africa to report to the Commission at its forty-ninth session.

47th meeting
28 February 1992
[Adopted without a vote. See chap. V.]

1992/20. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa

The Commission on Human Rights,

Recalling all relevant General Assembly resolutions on this matter, in particular resolution S-16/1 of 14 December 1989, adopted by consensus, containing the Declaration on Apartheid and its Destructive Consequences in Southern Africa, and resolutions 45/176 A of 19 December 1990 and 46/79 A of 13 December 1991, also adopted by consensus,

Noting with satisfaction that the fundamental principles for a new constitutional order set out in the Declaration on Apartheid are receiving broad acceptance in South Africa,

Bearing in mind its resolutions on the subject adopted since 1977, and in particular its resolution 1991/17 of 1 March 1991,

Taking into account the relevant decisions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, in particular at its twenty-seventh ordinary session, held at Abuja, from 3 to 5 June 1991 (A/46/390, annex II),

Taking note of all relevant resolutions of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, particularly resolution 1991/1 of 20 August 1991, adopted without a vote,

Taking note with appreciation of the updated report prepared by the Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1991/13 and Add.1),

Strongly convinced that sanctions and other restrictive measures have had a significant impact on recent developments in South Africa and remain a most effective instrument of pressure to bring about the peaceful resolution of the conflict in that country, Recognizing the responsibility of the United Nations and the international community, as envisaged in the Declaration on Apartheid, to continue to take all necessary measures aimed at the eradication of apartheid, in particular by adhering to the programme of action contained in the Declaration,

Noting that the collaboration of certain trading partners and banking and international financial institutions with South Africa, in disregard of United Nations decisions, constitutes an obstacle to the eradication of apartheid,

Alarmed at the continued collaboration of some States, in particular Israel, with South Africa in the nuclear field,

1. Reaffirms its support for the legitimate struggle of the South African people for the total eradication of apartheid and the establishment of a united, non-racial and democratic South Africa in which all its people, irrespective of race, colour, sex or creed, will enjoy the same fundamental freedoms, human rights and economic and social rights;

2. Condemns the assistance rendered to South Africa in the political, economic, financial and particularly the military field, and expresses its conviction that this assistance constitutes a hostile act against the people of South Africa and the neighbouring States;

3. Also condemns the continued nuclear collaboration of some States, in particular Israel, with South Africa and urges those States to desist forthwith from supplying South Africa with nuclear equipment and technology which enable it to develop a nuclear weapons capability;

4. Notes with appreciation the important measures taken by numerous States, parliamentarians, institutions, trade unions and non-governmental organizations in order to exert pressure on South Africa, and calls upon them to maintain their efforts to urge the South African authorities to comply with the United Nations resolutions and decisions on South Africa;

5. Takes note with satisfaction of the disinvestment, trade restrictions and other positive measures taken by some countries and transnational corporations, and urges them to continue in this direction;

6. Calls upon all Governments that have not yet done so to take measures to end economic, financial and technological cooperation with South Africa, as well as assistance in the manufacture of arms and military supplies in South Africa and, in particular, to cease all collaboration with South Africa in the nuclear field;

7. Appeals to the international community to render all possible assistance to the front-line and neighbouring States to enable their economies to recover from the effects of years of destabilization;

8. Calls upon all Governments to maintain sanctions and all forms of pressure against South Africa until agreement has been reached on transitional arrangements and modalities for the process of drawing up and adopting a new constitution and the holding of elections with a view to achieving an irreversible transition to a united, democratic and non-racial South Africa;

9. Appeals to the international community, specialized agencies and governmental and non-governmental organizations to increase humanitarian and legal assistance to the victims of apartheid, the returning refugees and exiles and released political prisoners;

10. Also appeals to the international community to increase its material, financial and other contributions to the victims and opponents of apartheid to help them address the glaring socio-economic inequalities prevailing in South Africa, particularly in the areas of education, health, housing and social welfare;

11. Requests the Secretary-General to continue to ensure the coordination of activities of the United Nations system in fulfilment of the Declaration on Apartheid and its Destructive Consequences in Southern Africa and to continue monitoring the implementation of the Declaration, as well as pursuing appropriate initiatives to facilitate all efforts leading to the eradication of apartheid;

12. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his updated report;

13. Reaffirms that the updating of the report of the Special Rapporteur is of the greatest importance to the cause of eradicating apartheid and other violations of human rights in South Africa;

14. Requests the Secretary-General to give the updated report the widest dissemination, to issue it as a United Nations publication and to make it available to learned societies, research centres, universities, political and humanitarian organizations and other interested groups;

15. Calls upon all Governments to cooperate with the Special Rapporteur in making the report even more accurate and informative;

16. Also calls upon the South African authorities to allow the Special Rapporteur to visit South Africa with a view to assessing the present situation;

17. Decides to consider the question at its forty-ninth session under the agenda item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa".

47th meeting
28 February 1992
[Adopted by a roll-call vote of 35 to 15,
with 3 abstensions. See chap. VI.]

1992/21. Respect for the right of everyone to own property alone as well as in association with others

The Commission on Human Rights,

Recalling General Assembly resolution 45/98 of 14 December 1990,

Recalling also its resolution 1991/19 of 1 March 1991 and Economic and Social Council decision 1991/236 of 31 May 1991, which established the mandate of an independent expert on the right to own property alone as well as in association with others,

Reaffirming the right of States and their peoples freely to choose and develop their political, social, economic and cultural systems and to determine their laws and regulations,

Recognizing that there exist in Member States many forms of legal property ownership, including private, communal, cooperative and State forms, each of which should contribute to ensuring effective development and utilization of human resources through the establishment of sound bases for political, economic and social justice,

1. Welcomes the preliminary report of the Independent Expert (E/CN.4/1992/9), on the means whereby the right of everyone to own property alone as well as in association with others fosters, strengthens and enhances the exercise of other fundamental freedoms;

2. Requests the Secretary-General to provide all necessary assistance to the Independent Expert and to transmit his preliminary report to all Member States and interested intergovernmental and non-governmental organizations, requesting them to submit their comments so that they can be taken into account in the work of the Independent Expert;

3. Decides to examine the report that the Independent Expert will submit in accordance with his mandate at its forty-ninth session under the same agenda item.

47th meeting
28 February 1992
[Adopted without a vote. See chap. VII.]

1992/22. Right to freedom of opinion and expression

The Commission on Human Rights,

Guided by the Universal Declaration of Human Rights, which affirms the right to freedom of opinion and expression,

Mindful of the International Covenant on Civil and Political Rights, which reaffirms, in article 19, the right of everyone to hold opinions without interference, as well as the right to freedom of expression, and states that the exercise of the right to freedom of expression carries with it special duties and responsibilities and may therefore be subject to certain restrictions, but that these shall only be such as are provided by law and are necessary for respect of the rights or reputations of others, or for the protection of national security or of public order (ordre public), or of public health and morals,

Mindful also that the International Covenant on Civil and Political Rights states that any propaganda for war or any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law,

Taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1983/32 of 6 September 1983,

Recalling its resolutions 1984/26 of 12 March 1984, 1985/17 of 11 March 1985, 1986/46 of 12 March 1986, 1987/32 of 10 March 1987, 1988/37 and 1988/39 of 8 March 1988, 1989/31 of 6 March 1989, 1989/56 of 7 March 1989, 1990/32 of 2 March 1990 and 1991/32 of 5 March 1991,

Taking note of the preliminary report on the right to freedom of opinion and expression (E/CN.4/Sub.2/1990/11), submitted to the Sub-Commission at its forty-second session by the Special Rapporteurs, Mr. Louis Joinet and Mr. Danilo Türk,

Taking note also of the update of the preliminary report on the right to freedom of opinion and expression (E/CN.4/Sub.2/1991/9), submitted to the Sub-Commission at its forty-third session by the Special Rapporteurs,

Recalling Sub-Commission resolution 1991/39 of 30 August 1991, in which the Sub-Commission took note with appreciation of the updated preliminary report prepared by the Special Rapporteurs and invited them to submit a report at its forty-fourth session,

Noting the reference in the preliminary report of the Special Rapporteurs to the link between violations of the right to freedom of opinion and expression and violations of other fundamental rights, such as the rights to liberty, security, life, privacy, peaceful assembly, protection against torture, and freedom of movement and religion, Noting also that in the updated report, the Special Rapporteurs paid particular attention to the question of freedom of opinion and expression in the context of the struggle against racism and in time of armed conflicts,

Noting further the importance and relevance to the protection of the right to freedom of opinion and expression of work being undertaken on the drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect human rights, and welcoming the fact that the working group completed the first reading of the draft declaration at its pre-sessional meeting from 13 to 24 January and on 18 February 1992 (E/CN.4/1992/53 and Corr.1, annex I),

Considering that the effective promotion of the human rights of persons who exercise the right to freedom of opinion and expression is of fundamental importance to the safeguarding of human dignity,

1. Expresses its concern at the extensive occurrence in many parts of the world of detention of, or discrimination against, persons who exercise the right to freedom of opinion and expression as affirmed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

2. Also expresses its concern at the extensive occurrence in many parts of the world of detention of, and discrimination against, persons who exercise the intrinsically linked rights to freedom of thought, conscience and religion, of peaceful assembly and freedom of association, and the right to take part in the conduct of public affairs as affirmed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

3. Further expresses its concern at the extensive occurrence in many parts of the world of detention of, or discrimination against, persons who seek to promote and defend these rights and freedoms;

4. Welcomes the release of persons detained for exercising these rights and freedoms and encourages further progress in this regard in all parts of the world;

5. Appeals to all States to ensure respect and support for the rights of all persons who exercise the rights to freedom of opinion and expression and the rights to freedom of thought, conscience and religion, peaceful assembly and association, and the right to take part in the conduct of public affairs, or who seek to promote and defend these rights and freedoms and, where any persons have been detained solely for exercising these rights as laid down in the International Covenant on Civil and Political Rights, to release them immediately;

6. Also appeals to all States to ensure that persons seeking to exercise these rights and freedoms are not discriminated against, particularly in such areas as employment, housing and social services, or harassed;

7. Invites the Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention and the Special Rapporteurs of the Commission to pay particular attention, within the framework of their mandates, to the situation of persons detained, ill-treated or discriminated against for having exercised the right to freedom of opinion and expression;

8. Invites the Special Rapporteurs of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Louis Joinet and Mr. Danilo Türk, to continue their work, to take into account the comments made on the updated report at the forty-third session of the Sub-Commission and to submit a final report to the Sub-Commission at its forty-fourth session, which should include conclusions and recommendations;

9. Requests the Secretary-General to provide the two Special Rapporteurs with all necessary assistance to fulfil their mandate;

10. Decides to review this matter at its forty-ninth session, on the basis, inter alia, of the report of the Special Rapporteurs submitted to the Sub-Commission at its forty-fourth session and any decisions adopted by the Sub-Commission in this regard.

47th meeting
28th February 1992
[Adopted without a vote. See chap. X.]

1992/23. Hostage-taking

The Commission on Human Rights,

Recalling the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, freedom from torture or degrading treatment, freedom of movement and protection from arbitrary detention,

Taking account of the International Convention against the Taking of Hostages, adopted by the General Assembly in its resolution 34/146 of 17 December 1979, which also recognizes that everyone has the right to life, liberty and security of person, and that the taking of hostages is an offence of grave concern to the international community,

Recalling its resolutions 27 (XXXVII) of 11 March 1981, 1986/49 of 12 March 1986, 1987/28 of 10 March 1987, 1988/38 of 8 March 1988, 1989/26 of 6 March 1989, 1990/36 of 6 March 1990 and 1991/40 of 5 March 1991, in which it condemned the taking of any person as hostage,

Bearing in mind, inter alia, Security Council resolutions 579 (1985) of 18 December 1985, 618 (1988) of 29 July 1988, 638 (1989) of 31 July 1989 and 674 (1990) of 29 October 1990, as well as the statement made by the President of the Security Council on 28 January 1987 (S/18641), again condemning all cases of hostage-taking, *Welcoming* the role played by the Secretary-General and the efforts made by the parties concerned in the recent release of hostages in 1991, and urging the immediate release of the remaining hostages,

Alarmed, nevertheless, by the number of cases of hostage-taking throughout the world, some of which have been going on for a long time, and by the odious practice they constitute,

Expressing its distress at these unacceptable displays of violence towards innocent victims and at the anxiety and suffering of the families concerned,

1. *Affirms* that the taking of hostages constitutes a grave violation of human rights, exposing the hostages to privation, hardship and anguish, and endangering their health and life;

2. *Strongly condemns* the taking of any person as hostage, whoever is responsible and whatever the circumstances or motives are, whether or not the hostage is chosen at random and whatever his or her nationality;

3. *Demands* that all hostages be released immediately;

4. *Appeals* for the humanitarian action of the International Committee of the Red Cross and its delegates to be respected in all circumstances;

5. *Calls upon* States to take any measures necessary to prevent and punish the taking of hostages and to put an immediate end to cases of abduction and unlawful restraint on their territory;

6. *Requests* the Secretary-General, whenever so requested by a State, to continue to employ all the means at his disposal in order to secure the immediate release of persons held hostage;

7. *Decides* to remain seized of the question at its forty-ninth session.

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/24. *Human rights and forensic science*

The Commission on Human Rights,

Noting with interest that various reports submitted to the Commission at its forty-eighth session refer to the exhumation and identification of probable victims of human rights violations and related abuses, as well as to the corresponding technical and practical difficulties encountered in that process, Noting also that, in many of the countries concerned, sufficient expertise in forensic science and related fields is not available to deal with the problem effectively,

Noting further that the training of local teams is a prerequisite for responsible exhumation and identification procedures, particularly in situations where numerous people may have died as a result of human rights violations and related abuses,

Aware that a number of Governments have already requested the Secretary-General to provide technical assistance in this regard,

Noting the proposed model autopsy protocol prepared under United Nations auspices (ST/CSDHA/12, chap. IV),

Noting also that a number of special rapporteurs and working groups mention in their reports the possibility of creating a standing team of forensic experts under United Nations auspices for the purpose of carrying out exhumations and post-mortem examinations as outlined in the model protocol,

Considering that the Working Group on Enforced or Involuntary Disappearances, in view of its mandate, has a direct interest in the matter, as evidenced by many of its reports to the Commission,

Considering also that the Secretary-General has limited human and financial resources for any initiatives in this regard,

1. Decides that it would be desirable to create, under United Nations auspices, a standing team of forensic experts and experts in other relevant disciplines, to be enrolled on a voluntary basis worldwide, who could be requested by the Governments concerned, through the Secretary-General, to assist, on the basis of professional objectivity and in a humanitarian spirit, in the exhumation and identification of probable victims of human rights violations or in the training of local teams for the same purpose;

2. Requests the Secretary-General, within existing resources, to enter into consultation with appropriate professional organizations in the field of forensic science and related disciplines with a view to studying the practical and financial viability of such a scheme and to developing workable arrangements for its management;

3. Requests the Working Group on Enforced or Involuntary Disappearances to render active assistance in this regard on the basis of its own experience in the matter;

4. *Also requests* the Secretary-General to inform the Commission at its forty-ninth session on progress made in this matter and to make such recommendations as he may consider appropriate.

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/25. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The Commission on Human Rights,

Recalling article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Recalling further General Assembly resolution 39/46 of 10 December 1984, in which the Assembly adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called upon all Governments to consider signing and ratifying the Convention as a matter of priority,

Bearing in mind its resolution 1991/35 of 5 March 1991,

Taking note of General Assembly decision 46/428 of 16 December 1991,

Mindful of the relevance, for the eradication of torture and other cruel, inhuman or degrading treatment or punishment, of the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex) and of the Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 37/194, annex), as well as of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (General Assembly resolution 43/173, annex),

Seriously concerned about the alarming number of cases of torture and other cruel, inhuman or degrading treatment or punishment which continue to be reported from various parts of the world, Determined to promote full implementation of the prohibition, under international and national law, of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Considering the important functions of the Committee against Torture under the Convention,

Recalling its decision, in resolution 1985/33 of 13 March 1985, to appoint a special rapporteur to examine questions relevant to torture, and its subsequent decisions to continue his mandate,

1. Welcomes the report of the Committee against Torture on its fifth and sixth sessions (A/46/46);

2. Takes note of the report of the Secretary-General (E/CN.4/1992/15) on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

3. Stresses the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture, thus enabling it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention so as to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

4. Urges States parties that have not yet paid their assessed contributions to fulfil their obligations forthwith;

5. Requests the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee against Torture;

6. Urges all States to become parties to the Convention as a matter of priority;

7. Invites all States ratifying or acceding to the Convention and those States parties that have not yet done so to make the declaration provided for in articles 21 and 22 of the Convention, and to consider the possibility of withdrawing their reservations to article 20;

8. Requests the Secretary-General to continue submitting to the Commission on Human Rights annual reports on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

9. Decides to consider the report of the Secretary-General at its forty-ninth session under the agenda sub-item "Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment".

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/26. Staff members of the United Nations and of the specialized agencies in detention

The Commission on Human Rights,

Recalling General Assembly resolutions 42/219 of 21 December 1987, 43/225 of 21 December 1988, 44/186 of 19 December 1989 and 45/240 of 21 December 1990, in which the Assembly deplored the increase in the number of cases where the functioning, safety and well-being of officials had been adversely affected, including cases of detention in Member States and abduction by armed groups and individuals, and the increasing number of cases in which the lives and well-being of officials had been placed in jeopardy during the exercise of their official functions,

Recalling its resolution 1991/37 of 5 March 1991, in which it requested the Secretary-General to continue his efforts to ensure that the human rights, privileges and immunities of United Nations staff members and experts and their families were fully respected, and to submit to the Commission at its forty-eighth session an updated version of the report on the situation of United Nations staff members, experts and their families detained, imprisoned, missing or held in a country against their will,

Taking note of the note by the Secretary-General (E/CN.4/1992/63), in which he draws the attention of the Commission to his report on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations (A/C.5/46/4),

Having examined the note on the protection of human rights of United Nations staff members, experts and their families (E/CN.4/Sub.2/1991/23) prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Welcoming Sub-Commission resolution 1991/17 of 28 August 1991 in which it invited the Special Rapporteur to continue her study in order to submit to the Sub-Commission at its forty-fourth session a final report which would include practical recommendations for measures to improve on a long-term basis the protection of personnel of the United Nations system and their families, as well as of experts and consultants, Considering that at a time when the United Nations is being called upon to undertake greater responsibilities in various parts of the world, it is imperative that its staff members be able to perform their duties with the assurance that their human rights, privileges and immunities will be fully respected, in accordance with the relevant provisions of the Charter of the United Nations and other international instruments,

Gravely concerned that a significant number of United Nations staff members, experts and their families continue to be held captive or are otherwise unaccounted for,

Noting the need for updated and complete information on the situation of United Nations staff members, experts and their families detained, imprisoned, missing or held in a country against their will,

Convinced that a better coordinated and more detailed reporting system, with a better dialogue between the United Nations and the host country, may contribute to a faster solution of cases,

Preoccupied by the inordinate delays which different organizations of the United Nations system face when trying to exercise fully the right of functional protection of their staff members,

Greatly appreciating the efforts of the Secretary-General to promote a satisfactory resolution of all cases of this kind, and noting that these efforts have already produced concrete results concerning the security of United Nations staff members, experts and their families,

1. *Welcomes* the statement by the Secretary-General on 22 January 1992, in which he stressed his deep concern that over one hundred staff members were being kept under detention or were in prison and declared his intention to do the utmost to work for their release;

2. *Appeals again* to Member States to respect and to ensure respect for the rights of staff members and others acting under the authority of the United Nations, and their families;

3. *Requests* the Secretary-General to continue his efforts to ensure that the human rights, privileges and immunities of United Nations staff members, experts and their families are fully respected and to seek redress and compensation for the damage caused to those whose human rights, privileges and immunities have been violated, as well as their full reintegration;

4. *Urges* Member States, in accordance with the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (General Assembly resolution 43/173, annex), to provide adequate and prompt information concerning the arrest or detention of United Nations staff members, experts and their families, and to grant the representative of the competent international organization access to them without delay;

5. Also urges Member States to allow medical teams to investigate the health of staff members, experts and their families who are being detained in order to provide them with the necessary medical assistance;

6. Calls upon Member States to allow the representative of the competent international organization to attend any hearing concerning United Nations staff members, experts and their families;

7. Requests once again the Secretary-General to submit to the Commission at its forty-ninth session an updated version of the report on the situation of United Nations staff members, experts and their families detained, imprisoned, missing or held in a country against their will, including those cases which have been successfully settled since the submission of the last report, as well as on the implementation of the measures referred to in paragraphs 4 and 5 of the present resolution.

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/27. United Nations Voluntary Fund for Victims of Torture

The Commission on Human Rights,

Recalling article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, which state that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also General Assembly resolution 36/151 of 16 December 1981, in which the Assembly noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture, and Assembly resolution 46/110 of 17 December 1991,

Reaffirming the importance of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Bearing in mind its resolution 1991/36 of 5 March 1991,

Convinced that the struggle to eliminate torture includes the provision of assistance in a humanitarian spirit to the victims of torture and their families,

Taking note of the information provided by the Secretary-General on the activities of the United Nations Voluntary Fund for Victims of Torture (A/46/618 and Corr.1 and E/CN.4/1992/16 and Add.1), *Noting* the statement of the Board of Trustees of the Fund concerning the desirability of receiving contributions from Governments on a regular basis, which, *inter alia*, would prevent the interruption of programmes that the Fund has been instrumental in bringing into existence,

Noting with satisfaction that international centres for rehabilitation of torture victims have been established and play an important role in providing assistance to victims of torture,

Noting, in this regard, the collaboration of the Fund with the international centres for rehabilitation,

1. *Expresses its appreciation* to the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture for the work it has carried out;

2. *Expresses its gratitude and appreciation* to those Governments, organizations and individuals that have already contributed to the Fund;

3. *Appeals* to all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the Fund, if possible on a regular basis;

4. *Renews its request* to the Secretary-General to transmit to all Governments the appeal of the Commission for contributions to the Fund;

5. *Again requests* the Secretary-General to make use of all existing possibilities to assist the Board of Trustees of the Fund, *inter alia* through the preparation, production and dissemination of information material, in its efforts to make the Fund and its humanitarian work better known;

6. *Requests* the Secretary-General to submit to the Commission at its forty-ninth session a consolidated report on the activities, as appropriate, carried out through the Fund, entitled "Ten Years of the United Nations Voluntary Fund for Victims of Torture";

7. *Also requests* the Secretary-General to continue to keep the Commission informed of the operations of the Fund on an annual basis.

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/28. *Question of arbitrary detention*

The Commission on Human Rights,

Recalling its resolution 1985/16 of 11 March 1985, in which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to analyse available information concerning the practice of administrative detention without charge or trial, and to make appropriate recommendations on the use of this practice,

Recalling also its resolutions 1988/45 of 8 March 1988 and 1989/38 of 6 March 1989, as well as its decision 1990/107 of 7 March 1990,

Reaffirming articles 3, 9 and 10, as well as other relevant provisions of the Universal Declaration of Human Rights,

Having taken note with appreciation, at its forty-seventh session, of the revised report by Mr. Louis Joinet on the practice of administrative detention (E/CN.4/Sub.2/1990/29 and Add.1) and of the recommendations formulated therein,

Recalling that the General Assembly, in its resolution 43/173 of 9 December 1988, adopted the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, which also covers administrative detention, and that, consequently, there is no longer a purpose in treating the question of administrative detention independently, even if, in certain cases, the procedure of administrative detention undeniably gives rise to specific abuses,

Noting the important work carried out in this field by the Centre for Social Development and Humanitarian Affairs of the Secretariat and by the Committee on Crime Prevention and Control,

Recalling its resolution 1991/42 of 5 March 1991, in which it decided to create, for a three-year period, a working group composed of five independent experts, with the task of investigating cases of detention imposed arbitrarily or otherwise inconsistently with the relevant international standards set forth in the Universal Declaration of Human Rights or in the relevant international legal instruments accepted by the States concerned,

Noting the comments made during its forty-eighth session,

1. Expresses its satisfaction to the Working Group on Arbitrary Detention at the diligence with which it has devised its methods of work and at having pointed out the importance that it attaches to seeking the cooperation of all those concerned by the cases submitted to it for consideration;

2. Takes note of the report of the Working Group on Arbitrary Detention (E/CN.4/1992/20) and thanks the experts for the rigour with which they have discharged their task;

3. Calls upon the Working Group, in carrying out its mandate, to continue to seek and receive information from Governments and intergovernmental and non-governmental organizations, as well as information from the individuals concerned or their legal representatives;

4. *Invites* the Working Group to continue to take account of the need to carry out its task with discretion, objectivity and independence;

5. *Requests* the Working Group to submit a comprehensive report on its activities to the Commission at its forty-ninth session and to make any suggestions and recommendations enabling it better to carry out its task;

6. *Decides* to continue consideration of the question at its forty-ninth session under the agenda item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/29. *Declaration on the protection of all persons from enforced disappearance*

The Commission on Human Rights,

Recalling General Assembly resolution 33/173 of 20 December 1978,

Convinced of the need for States to give effect to measures to prevent and punish acts of enforced disappearance,

Recalling its decision 1986/106 of 13 March 1986, by which it invited the Sub-Commission on Prevention of Discrimination and Protection of Minorities to reconsider the question of a declaration against unacknowledged detention of persons,

Again thanking the Working Group on Detention of the Sub-Commission for its efforts to complete the draft declaration and transmit it to the Commission,

Recalling also its resolution 1991/41 of 5 March 1991, in which it established an open-ended inter-sessional working group to consider the draft declaration submitted by the Sub-Commission with a view to its adoption by the Commission at its forty-eighth session,

Having considered the final report of the Working Group on the Declaration on the protection of all persons from enforced disappearance (E/CN.4/1992/19/Rev.1), including the annex thereto,

1. *Expresses its appreciation* to the Working Group on the Declaration on the protection of all persons from enforced disappearance for the work it has done;

2. *Approves* the draft declaration submitted by the Working Group;

3. Decides to transmit the draft declaration to the General Assembly at its forty-seventh session, through the Economic and Social Council;

4. Recommends that, after adoption by the General Assembly, the full text of the Declaration on the protection of all persons from enforced disappearance should be disseminated as widely as possible;

5. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution III.]

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/30. Question of enforced or involuntary disappearances

The Commission on Human Rights,

Bearing in mind General Assembly resolution 33/173 of 20 December 1978, in which the Assembly requested the Commission on Human Rights to consider the question of disappeared persons with a view to making appropriate recommendations, and all other United Nations resolutions concerning missing or disappeared persons,

Convinced of the need to continue the implementation of the provisions of General Assembly resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances,

Recalling its resolution 20 (XXXVI) of 29 February 1980, in which it decided to establish a working group consisting of five of its members, to serve as experts in their individual capacity, to examine questions relevant to enforced or involuntary disappearances, and its resolutions 1988/34 of 8 March 1988, 1989/27 of 6 March 1989, 1990/30 of 2 March 1990 and 1991/41 of 5 March 1991,

Recalling also its resolution 1990/76 of 7 March 1990 on cooperation with representatives of United Nations human rights bodies,

Recalling further General Assembly resolution 46/125 of 17 December 1991,

Profoundly concerned that the practice of enforced or involuntary disappearances is continuing in various regions of the world,

Concerned also at reports concerning harassment of witnesses of disappearances or relatives of disappeared persons, Having considered the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1992/18 and Add.1),

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances at the way in which it has done its work, and thanks the Working Group for submitting a report to the Commission at its forty-eighth session in accordance with its resolution 1991/41;

2. Takes note of the report of the Working Group and thanks the Working Group for continuing to improve its methods of work and for recalling the humanitarian spirit underlying its mandate;

3. Decides to extend for three years the mandate of the Working Group as defined in Commission resolution 20 (XXXVI), in order to enable it to take into consideration all such information as may be communicated to it on cases brought to its attention, while retaining the principle of the submission of annual reports by the Group;

4. Requests the Working Group to report on its work to the Commission at its forty-ninth session, and reminds the Working Group of the obligation to discharge its mandate in a discreet and conscientious manner;

5. Also requests the Working Group, in its efforts to help eliminate the practice of enforced or involuntary disappearances, to submit to the Commission all appropriate information it deems necessary and all concrete suggestions and recommendations regarding the fulfilment of its task;

6. Further requests the Working Group to draw attention to cases concerning children of disappeared parents;

7. Reminds the Working Group of the need to observe, in its humanitarian task, United Nations standards and practices regarding the receipt of communications, their consideration, their evaluation, their transmittal to Governments and the consideration of Government replies;

8. Notes with concern that some Governments have never provided substantive replies concerning disappearances alleged to have occurred in their countries;

9. Deplores the fact that, as the Working Group points out in its report, some Governments have not acted on the recommendations contained in the Working Group's reports concerning them nor replied to its requests for information on those matters, and requests the Working Group to continue to provide the Commission with all information on action taken further to its recommendations;

10. Urges the Governments concerned, particularly those which have not yet responded to communications transmitted to them by the Working Group, to cooperate with and assist the Working Group so that it may carry out its mandate effectively, and in particular to reply expeditiously to its requests for information;

11. Also urges the Governments concerned to intensify their cooperation with the Working Group in regard to any measure taken in pursuance of recommendations addressed to them by the Working Group;

12. Once again urges the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subjected;

13. Urges all Governments to take legislative or other steps to prevent and punish acts of enforced disappearance;

14. Encourages the Governments concerned to give serious consideration to inviting the Working Group to visit their countries so as to enable the Working Group to fulfil its mandate even more effectively;

15. Urges Governments to take steps to ensure that, when a state of emergency is introduced, the protection of human rights is guaranteed, particularly as regards the prevention of enforced or involuntary disappearances;

16. Reminds Governments of the need to ensure that their competent authorities conduct prompt and impartial inquiries when there is reason to believe that an enforced or involuntary disappearance has occurred in territory under their jurisdiction;

17. Expresses its profound thanks to the Governments that have cooperated with the Working Group and replied to its requests for information, and to Governments that have invited the Working Group to visit their countries, asks them to give all necessary attention to the recommendations addressed to them, and invites them to inform the Working Group of any action they take on the recommendations;

18. Requests the Secretary-General to ensure that the Working Group receives all necessary assistance, in particular the staff and resources it requires to perform its functions, especially in carrying out missions, following them up and holding sessions in countries that would be prepared to receive it.

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/31. Human rights in the administration of justice

The Commission on Human Rights,

Guided by the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights, as well as the relevant provisions of the International Covenant on Civil and Political Rights, _Guided also_ by the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and in the International Convention on the Elimination of All Forms of Racial Discrimination,

Reaffirming the opportunity offered to States parties to the International Covenant on Civil and Political Rights, if they so wish, to become parties to its Optional Protocols,

Welcoming the important work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in the field of human rights in the administration of justice, in particular regarding the independence of judges and lawyers, the right to a fair trial, habeas corpus, human rights and states of emergency, the human rights of juveniles in detention, the privatization of prisons and the question of impunity of perpetrators of violations of human rights,

Emphasizing the importance of coordinating the activities of the new Commission on Crime Prevention and Criminal Justice and the human rights programme in this field,

Guided by General Assembly resolution 46/120 of 17 December 1991,

Recalling its resolution 1991/34 of 5 March 1991,

1. _Reaffirms_ the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

2. _Reiterates once again its call_ to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources to ensure more effective implementation of these standards, taking into account the recommendations of the General Assembly in its resolution 43/153 of 8 December 1988 for the development of national strategies for this purpose;

3. _Recognizes_ the important role that non-governmental organizations, including professional associations of lawyers and judges, can play in promoting human rights in the administration of justice;

4. _Again calls upon_ its subsidiary bodies, including its special rapporteurs and working groups, to give special attention to questions relating to the effective protection of human rights in the administration of justice, in particular with regard to unacknowledged detention of persons, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for possible concrete measures under advisory services programmes;

5. _Stresses_ the desirability of providing States, at their request, with continued assistance in the field of the administration of justice, in particular under United Nations programmes of advisory services and technical assistance;

6. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue its practice of creating a sessional working group on detention to formulate concrete proposals regarding human rights in the administration of justice;

7. Also requests the Sub-Commission to formulate concrete proposals to the Secretary-General regarding the utility and the format of his reports pursuant to Sub-Commission resolution 7 (XXVII) of 20 August 1974 on the question of the human rights of persons subjected to any form of detention or imprisonment;

8. Invites the new Commission on Crime Prevention and Criminal Justice, at its first session, to be held at Vienna from 21 to 30 April 1992, to explore ways and means of cooperating with the human rights programme in the field of the administration of justice, with special emphasis on the effective implementation of norms and standards;

9. Decides to consider the question at its forty-ninth session under the agenda item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

47th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/32. Torture and other cruel, inhuman or degrading treatment or punishment

The Commission on Human Rights,

Having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture or Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Noting with appreciation that the number of States which have become parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is steadily increasing,

Welcoming the establishment at the regional level, in accordance with the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, *Seriously concerned*, however, about the persistence of an alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Recalling its resolution 1985/33 of 13 March 1985, in which it decided to appoint for one year a special rapporteur to examine questions relevant to torture, and all its subsequent resolutions in which that mandate was regularly extended, most recently for another two years in resolution 1990/34 of 2 March 1990, while maintaining the annual reporting cycle,

Welcoming the continuing exchange of views between the Special Rapporteur and the Committee against Torture, established under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment, as well as his contacts with the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture,

Recognizing that a continuing exchange of information between the various mechanisms and bodies entrusted with the task of combating torture will enhance their effectiveness,

Aware that torture constitutes a criminal obliteration of the human personality which can never be justified under any circumstances, by any ideology or by any overriding interest, and convinced that a society that tolerates torture can never claim to respect human rights,

Determined to promote the full implementation of the prohibition under international and national law of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Convinced that efforts to eradicate torture should first and foremost be concentrated on prevention,

Noting, in this regard, the importance of the provision of advisory services and technical assistance as forms of practical assistance to interested States with a view to enabling them to develop the necessary infrastructure to meet international human rights standards,

Recalling the Standard Minimum Rules for the Treatment of Prisoners, approved by the Economic and Social Council in its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977, the Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 37/194 of 18 December 1982, and the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in its resolution 40/34 of 29 November 1985,

Recalling also the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, approved by the General Assembly in its resolution 43/173 of 9 December 1988, Recalling further the conclusions and recommendations of the Special Rapporteur underlined in its resolutions 1987/29 of 10 March 1987, 1988/32 of 8 March 1988, 1989/33 of 6 March 1989, 1990/34 of 2 March 1990 and 1991/38 of 5 March 1991,

1. Commends the Special Rapporteur on his report (E/CN.4/1992/17 and Add.1);

2. Stresses once again the repeated conclusions and recommendations of the Special Rapporteur concerning the importance of instituting a system of periodic visits by independent experts to places of detention;

3. Stresses the recommendation of the Special Rapporteur that the judiciary should play an active role in guaranteeing to detainees the rights they have in accordance with international and national standards;

4. Recalls that incommunicado detention is highly conducive to torture practices and that in the Special Rapporteur's view incommunicado detention should be declared illegal;

5. Stresses again the recommendation of the Special Rapporteur that the right to have access to a lawyer is one of the basic rights of a person who is deprived of his liberty and restrictions on this right should therefore be exceptional and always subject to judicial control;

6. Also stresses the recommendation of the Special Rapporteur that each person should have the right to initiate promptly after his arrest proceedings before a court on the lawfulness of his detention, in conformity with the International Covenant on Civil and Political Rights;

7. Recalls the recommendations of the Special Rapporteur that Governments and professional and medical associations should take strict measures against members of the medical profession who play a role in the practice of torture;

8. Stresses the repeated recommendations of the Special Rapporteur that interrogation of detainees should take place only at official interrogation centres, that each interrogation should be duly recorded and start with the identification of all the persons present and that the blindfolding or holding of detainees during interrogation should be absolutely forbidden;

9. Also stresses the repeated recommendations of the Special Rapporteur pertaining to the establishment at the national level of an independent authority able to receive complaints by individuals about torture or other severe maltreatment;

10. Endorses the recommendation of the Special Rapporteur that whenever a complaint of torture is found to be justified, the perpetrators should be severely punished, especially the official in charge of the place of detention where the torture is found to have taken place;

11. Calls upon all States that have not yet done so to sign and to accede to or ratify as soon as possible the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and requests the Special Rapporteur to continue to promote universal accession to that Convention and to encourage all States to fulfil its provisions strictly;

12. Emphasizes the importance of training programmes for law enforcement and security personnel and draws the attention of interested Governments to the possibilities offered in this connection by the United Nations programme of advisory services in the field of human rights;

13. Decides to extend the mandate of the Special Rapporteur for three years, while maintaining the annual reporting cycle, in order to enable him to submit further conclusions and recommendations to the Commission;

14. Also decides that the Special Rapporteur, in carrying out his mandate, shall continue to seek and receive credible and reliable information from Governments, the specialized agencies and intergovernmental and non-governmental organizations;

15. Considers it desirable that the Special Rapporteur should continue to have periodic consultations with the Committee against Torture, as well as with the Working Group on Arbitrary Detention, in particular with a view to establishing the procedures for cooperation and avoiding any overlapping in the activities of the United Nations in combating torture;

16. Invites the Special Rapporteur, in carrying out his mandate, to bear in mind the need to be able to respond effectively to credible and reliable information that comes before him and to carry out his work with discretion;

17. Appeals to all Governments to cooperate with and assist the Special Rapporteur in the performance of his tasks and to supply all information requested, including by reacting properly to his urgent appeals;

18. Urges those Governments which have not yet responded to communications transmitted to them by the Special Rapporteur to answer expeditiously;

19. Expresses its thanks to the Governments that invited the Special Rapporteur and requests them to give due consideration to his recommendations and to keep him informed without delay of action taken thereon;

20. Calls upon the Special Rapporteur to continue to include information in his report on the follow-up by Governments to his recommendations, visits and communications;

21. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

22. Requests the Secretary-General to provide all necessary assistance to the Special Rapporteur to cover all of his activities in order to enable him to submit his report to the Commission at its forty-ninth session.

48th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/33. Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

The Commission on Human Rights,

Guided by the principles embodied in articles 7, 8, 10 and 11 of the Universal Declaration of Human Rights and articles 2, 14 and 26 of the International Covenant on Civil and Political Rights,

Convinced that an independent and impartial judiciary and an independent legal profession are essential prerequisites for the protection of human rights and for ensuring that there shall be no discrimination in the administration of justice,

Recalling that the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteurs on torture and on summary and arbitrary executions also emphasize the necessity of an independent and impartial judiciary and an independent legal profession,

Recalling also the Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (see A/CONF.144/28) and again inviting Governments to respect them and to take them into account within the framework of their national legislation and practice,

Recalling further its resolutions 1989/32 of 6 March 1989 and 1990/33 of 2 March 1990 on effective means by which the Sub-Commission on Prevention of Discrimination and Protection of Minorities could monitor the implementation of the Basic Principles on the Independence of the Judiciary and the Protection of Practising Lawyers, as well as its resolution 1991/39 of 5 March 1991, in which it endorsed the decision of the Sub-Commission to entrust Mr. Louis Joinet with the preparation of a report on strengthening the independence of the judiciary and the protection of practising lawyers,

Recalling General Assembly resolution 46/120 of 17 December 1991, in which the Assembly welcomed, inter alia, the recommendations contained in the first report of the Special Rapporteur on the independence of the judiciary and the protection of practising lawyers (E/CN.4/Sub.2/1991/30 and Add.1-4) and endorsed by the Sub-Commission in its resolution 1991/35 of 29 August 1991, including those on planning and organizing advisory services and technical assistance, and also welcomed the decision of the Sub-Commission to entrust the Special Rapporteur with the preparation of a further report, Having examined the work done by the Sub-Commission relating to the independence and impartiality of the judiciary and the independence of lawyers,

1. Welcomes the recommendations made in the report of the Special Rapporteur prepared in accordance with Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1990/23 of 30 August 1990 and Commission on Human Rights resolution 1991/39 of 5 March 1991, and which the Sub-Commission endorsed in its resolution 1991/35 of 29 August 1991;

2. Endorses the decision of the Sub-Commission to entrust the Special Rapporteur with the preparation of a report to bring to the attention of the Sub-Commission information on practices and measures which have served to strengthen or to weaken the independence of the judiciary and the legal profession in accordance with United Nations standards, paying particular attention to those elements set out in paragraph 302 of his report (E/CN.4/Sub.2/1991/30);

3. Requests the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the completion of his task;

4. Recommends the following draft decision to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. B, draft decision 5.]

48th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/34. Right to a fair trial

The Commission on Human Rights,

Recalling its decision 1990/108 of 7 March 1990 and its resolution 1991/43 of 5 March 1991, in which it endorsed the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Stanislav Chernichenko and Mr. William Treat with the preparation of a study on the right to a fair trial: current recognition and measures necessary for its strengthening,

Having examined the brief report on the right to a fair trial prepared by Mr. Chernichenko and Mr. Treat (E/CN.4/Sub.2/1990/34) and their second report (E/CN.4/Sub.2/1991/29),

Noting Sub-Commission resolution 1991/14 of 28 August 1991,

Welcoming the recommendations made by Mr. Chernichenko and Mr. Treat in section V of their second report,

1. Expresses its appreciation to the Special Rapporteurs, Mr. Stanislav Chernichenko and Mr. William Treat, for their continued work in preparing the study on the right to a fair trial: current recognition and measures necessary for its strengthening;

2. Endorses the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1991/14 to the Special Rapporteurs to continue the preparation of their study;

3. Requests the Secretary-General to provide the Special Rapporteurs with all the assistance they may require in this task;

4. Also requests the Secretary-General to transmit the revised questionnaire contained in the second report (E/CN.4/Sub.2/1991/29, annex II) to those Governments, specialized agencies and non-governmental organizations that have not yet responded to the previous questionnaire, as well as to associations of lawyers, for their response and comments, and to transmit the replies to the Special Rapporteurs;

5. Requests the Special Rapporteurs to take into account, in preparing their study, the reports of States parties to treaty-monitoring bodies, the consideration of those reports by the bodies concerned and other experiences of those bodies relevant to the right to a fair trial;

6. Recommends that the Special Rapporteurs exchange views in regard to the study with officials of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Commission on Crime Prevention and Criminal Justice;

7. Requests the Special Rapporteurs to submit a third report, based on their study of the interpretations of international organizations with regard to the right to a fair trial and on a preliminary analysis of the responses to the revised questionnaire and other relevant information, to the Sub-Commission at its forty-fourth session for consideration and to the Commission on Human Rights at its forty-ninth session;

8. Looks forward to the preparation by the Special Rapporteurs in the future of a fourth report containing a more complete analysis of the responses to the questionnaires and other relevant information, as well as of a fifth report containing recommendations for strengthening the right to a fair trial;

9. Urges the Special Rapporteurs to continue their study with a view to strengthening the implementation of present fair trial standards and to improving the protection of the right to a fair trial by, for example, making the right to a fair trial or certain aspects of that right non-derogable;

10. Also urges the Special Rapporteurs to consider the desirability of incorporating the basic fair trial guarantees into an international standard, such as a model code, for consideration by the Sub-Commission and the Commission at future sessions;

11. Recommends the following draft decision to the Economic and Social Council for adoption:

[For the text see chap. I, sect. B, draft decision 6.]

48th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/35. Habeas corpus

The Commission on Human Rights,

Bearing in mind article 9 (4) of the International Covenant on Civil and Political Rights,

Recalling its resolution 1991/34 of 5 March 1991, in which it invited the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider the question of the effectiveness of habeas corpus and similar remedies during states of emergency and to formulate suggestions thereon,

Taking note of Sub-Commission resolution 1991/15 of 28 August 1991, as well as the recommendation contained in annex I, section 8 of the report of the Special Rapporteur (E/CN.4/Sub.2/1991/28/Rev.1),

Recalling the advisory opinion of the Inter-American Court of Human Rights on habeas corpus in emergency situations (OC-8/87 of 30 January 1987), according to which habeas corpus is "essential for the protection of the rights and freedoms whose suspension Article 27(2) [of the American Convention on Human Rights] prohibits",

Recalling also the Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights, which concluded that the ordinary courts should maintain their jurisdiction, even in a time of public emergency, to adjudicate any complaint that a non-derogable right had been violated,

1. Calls upon on all States that have not yet done so to establish a procedure such as habeas corpus by which anyone who is deprived of his or her liberty by arrest or detention shall be entitled to institute proceedings before a court, in order that that court may decide without delay on the lawfulness of his or her detention and order his or her release if the detention is found to be unlawful;

2. Also calls upon all States to maintain the right to such a procedure at all times and under all circumstances, including during states of emergency.

48th meeting
28 February 1992
[Adopted without a vote. See chap. X.]

1992/36. Draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others

The Commission on Human Rights,

Having examined the report of the Working Group on Contemporary Forms of Slavery on its sixteenth session (E/CN.4/Sub.2/1991/41 and Corr.1) submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session,

Having taken note with deep anxiety of the information contained in this report relating to the worldwide phenomenon of the traffic in persons and the exploitation of the prostitution of others,

Recalling Economic and Social Council resolution 1983/30 of 26 May 1983, entitled "Suppression of the traffic in persons and of the exploitation of the prostitution of others", and subsequent resolutions of the Council on this subject,

Gravely concerned about the consequences of these practices for their victims,

Having examined the various elements of the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others (E/CN.4/Sub.2/1991/41, annex I), endorsed by the Sub-Commission in its resolution 1991/37 of 29 August 1991,

1. Endorses the views expressed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1991/37 on it being desirable to launch a concerted programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others;

2. Decides to transmit the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others to Governments, specialized agencies, intergovernmental organizations and non-governmental organizations, for their comments;

3. Requests the Secretary-General to submit to the Commission at its forty-ninth session a report containing a summary of the comments received;

4. Decides to examine, at its forty-ninth session, the draft programme of action and the report of the Secretary-General.

48th meeting
28 February 1992
[Adopted without a vote. See chap. XVII.]

1992/37. World Conference on Human Rights

The Commission on Human Rights,

Bearing in mind the objectives of the Charter of the United Nations and the Universal Declaration of Human Rights to promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Guided by the principles governing its mandate as the body responsible, inter alia, for considering all aspects of human rights calling for the active participation of all members of the international community,

Recalling General Assembly resolution 45/155 of 18 December 1990, in which the Assembly decided to convene a World Conference on Human Rights in 1993, Commission resolution 1991/30 of 5 March 1991 and Assembly resolution 46/116 of 17 December 1991,

Aware of the progress made during the first session of the Preparatory Commmittee for the World Conference on Human Rights, held from 9 to 13 September 1991,

Noting that the Preparatory Committee is scheduled to meet twice before the forty-ninth session of the Commission,

Recognizing that the Preparatory Committee at its second session, to be held from 30 March to 10 April 1992, will deal in particular with the rules of procedure of the World Conference, the provisional agenda and the documentation related thereto,

Taking into account that the Preparatory Committee will also consider, as appropriate, the question of the venue of the World Conference,

1. Encourages the widest possible participation in both the preparatory process and the World Conference on Human Rights and recommends that all working arrangements be such as to facilitate this participation;

2. Welcomes contributions from regional meetings to be held in 1992 as part of the preparatory work for the World Conference;

3. Recommends that its Chairman inform the Preparatory Committee of the debate on the World Conference that took place during the forty-eighth session of the Commission and that he make available to it a summary of these discussions;

4. Also recommends that the Preparatory Committee take into account the suggestions made at the forty-eighth session of the Commission relating, inter alia, to the agenda of the World Conference;

5. Calls upon the Preparatory Committee to deal, as soon as possible, with the substantive preparations for the World Conference, in accordance with the goals and objectives set out in paragraph 1 of General Assembly resolution 45/155, as well as with the recommendations contained in Commission resolution 1991/30 and the annex thereto;

6. Encourages its Chairman, the chairpersons or other designated members of human rights bodies, including the persons chairing the human rights treaty bodies or their designated representatives, as well as special and thematic rapporteurs and the chairpersons or designated members of working groups, to contribute as observers by taking part, as appropriate, in the work of the Preparatory Committee and the World Conference;

7. Welcomes contributions of extrabudgetary resources made to meet the costs of participation of representatives of the least developed countries in the preparatory meetings, including regional meetings, and the World Conference itself, and encourages further contributions to the Voluntary Fund established for this purpose;

8. Also welcomes the willingness of the Italian Government to consider acting as host to the World Conference in 1993;

9. Decides to consider the question at its forty-ninth session under the agenda item entitled "World Conference on Human Rights".

48th meeting
28th February 1992
[Adopted without a vote. See chap. XXIV.]

1992/38. Development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights

The Commission on Human Rights,

Reaffirming that activities to improve public knowledge in the field of human rights are essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations, and that carefully designed programmes of teaching, education and information are essential to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling previous General Assembly resolutions on this subject, in particular resolutions 43/128 of 8 December 1988, 44/61 of 8 December 1989 and 45/99 of 14 December 1990, as well as its own resolutions 1989/53 of 7 March 1989, 1990/72 of 7 March 1990 and 1991/24 of 5 March 1991,

Recognizing the catalytic effect of United Nations initiatives on national and regional public information activities in the field of human rights, Recognizing also the valuable role that non-governmental organizations can play in these endeavours,

Believing that a world public information campaign on human rights is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights worldwide,

1. Takes note with appreciation of the report of the Secretary-General on the development of public information activities in the field of human rights (E/CN.4/1992/22), including information about costs incurred and envisaged, as well as the assessment of the effectiveness of the activities of the World Public Information Campaign for Human Rights, and supports the general thrust of the proposed programme of implementation of the World Campaign;

2. Appreciates the measures taken by the Secretariat to ensure the further production and effective dissemination of human rights information material in national and local languages, in cooperation with regional, national and local organizations, as well as with Governments, making full and effective use of the United Nations information centres;

3. Reiterates its request to the Secretary-General to ensure that recent periodic reports of States parties to treaty-monitoring bodies and the summary records of discussion on them in the treaty bodies be available in the United Nations information centres of the countries which have submitted these reports;

4. Welcomes the information relative to the situation of documentation on human rights at each United Nations information centre contained in the report of the Secretary-General (E/CN.4/1992/22, annex II), and reiterates the need to ensure, within available resources, the collection of basic United Nations information and reference material on human rights and fundamental freedoms at each of these centres and for the centres to disseminate human rights materials in all countries within their designated areas of activity;

5. Encourages all Member States to make special efforts, particularly in view of the forthcoming World Conference on Human Rights in 1993, to provide, facilitate and promote publicity for the activities of the United Nations in the field of human rights, and to accord priority to the dissemination, in their respective national and local languages, of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments, and to provide information and education on the practical ways in which the rights and freedoms enjoyed under these instruments can be exercised;

6. Urges all Member States to include in their educational curricula materials relevant to a comprehensive understanding of human rights issues, bearing in mind the availability of the teaching booklet published by the Centre for Human Rights, encourages all those responsible for training in law

and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate human rights components in their programmes, and encourages the efforts of the Centre for Human Rights to develop a manual for higher education in the field of human rights, in cooperation with the United Nations Educational, Scientific and Cultural Organization;

7. Notes the special value, under the advisory services and technical assistance programme, of regional and national training courses and workshops in promoting practical education and awareness in the field of human rights, including the aims and objectives of the World Conference on Human Rights;

8. Requests the Secretary-General to make provision from the United Nations regular budget for increased resources for activities within the framework of the World Public Information Campaign for Human Rights;

9. Requests the Department of Public Information of the Secretariat to make full use of its available resources in the field of human rights, to produce audiovisual material on human rights issues that could be used as effective tools of information within the framework of the World Public Information Campaign for Human Rights, as specifically requested in paragraph 4 of General Assembly resolution 45/99, to increase the print-run of the information and reference material produced by the United Nations, including the Fact Sheet series, for worldwide distribution, and to ensure the availability of the Universal Declaration of Human Rights in both official United Nations languages and non-official languages and in sufficient quantities at United Nations information centres worldwide;

10. Requests the Centre for Human Rights to coordinate as necessary, taking fully into account General Assembly resolution 43/128 and, in particular, the primary role assigned to the Department of Public Information in its own field of competence, the relevant activities of the World Public Information Campaign for Human Rights within the United Nations system, and to maintain liaison with Governments, regional and national institutions and individuals concerned in the development and implementation of those activities;

11. Stresses the need for close cooperation between the Centre for Human Rights and the Department of Public Information, inter alia, in the implementation of the aims established for the World Public Information Campaign for Human Rights;

12. Requests the Secretary-General to take advantage as much as possible, in the implementation of the World Public Information Campaign for Human Rights, of the collaboration of non-governmental organizations, including the dissemination of human rights material, with a view to increasing universal awareness of human rights and fundamental freedoms;

13. Also requests the Secretary-General to give priority, within the framework of the World Public Information Campaign for Human Rights, to activities aimed at disseminating the objectives of the forthcoming World

Conference on Human Rights and at ensuring full coordination between the concerned units and departments of the United Nations system on this issue;

14. Emphasizes the need for the United Nations to harmonize its public information activities in the field of human rights with organizations such as the International Committee of the Red Cross and the Office of the United Nations High Commissioner for Refugees in relation to the dissemination of information on international humanitarian law and, with regard to education for human rights, the United Nations Educational, Scientific and Cultural Organization, and appreciates the efforts made and the action taken by the Centre for Human Rights to this effect;

15. Requests the Secretary-General to submit to the Commission, at its forty-ninth session, a report on public information activities with special emphasis on the activities of the World Public Information Campaign for Human Rights, including details of the costs incurred in 1992 and the budget envisaged for future activities, as well as a further assessment of the impact of the World Campaign activities undertaken by the United Nations in the field of human rights;

16. Decides to continue its consideration of the question at its forty-ninth session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission".

48th meeting
28 February 1992
[Adopted without a vote. See chap. XI.]

1992/39. Strengthening of United Nations action in the field of human rights through the promotion of international cooperation, and the importance of non-selectivity, impartiality and objectivity

The Commission on Human Rights,

Aware of the fact that the promotion, protection and full realization of all human rights and fundamental freedoms for all are legitimate concerns of the world community,

Bearing in mind that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging universal respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in the field of promoting and encouraging respect for all human rights and fundamental freedoms, Deeply convinced that such cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments,

Also convinced that, in order to be fully effective in the field of human rights, this cooperation should in addition be based on a deep understanding of the wide variety of problems existing in all societies and on full respect for the political, economic and social realities of each of them,

Bearing in mind the important contribution that accurate, impartial and objective information can make to achieving such understanding and full respect,

Recalling General Assembly resolutions 32/130 of 16 December 1977, 37/200 of 18 December 1982, 41/155 of 4 December 1986 and 43/155 of 8 December 1988,

Bearing in mind General Assembly resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Aware of the fact that the promotion, protection and full realization of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends,

Underlining the paramount responsibility of each State to promote, protect and secure the full realization of all human rights and fundamental freedoms for all and the duty that all Governments have to carry out the obligations they have undertaken under international law, especially the Charter of the United Nations, as well as various international instruments in the field of human rights, and to respect and enforce, in good faith, its domestic legislation in conformity with those instruments,

Bearing in mind its resolution 1991/79 of 6 March 1991,

Reaffirming General Assembly resolutions 45/163 of 18 December 1990 and 46/129 of 17 December 1991,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples, all peoples have the right to determine freely, without external interference, their political status and to pursue their economic, social and cultural development and that every State has the duty to respect that right within the provisions of the Charter of the United Nations, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote, encourage respect for and achieve the full realization of all human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Also reaffirms that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

4. Expresses its conviction that an impartial and fair approach to human rights contributes to the promotion of international cooperation and to the promotion, protection and effective realization of human rights and fundamental freedoms;

5. Calls upon all Member States to base their activities for the promotion, protection and full realization of all human rights and fundamental freedoms, including the development of further international cooperation in this field, on the Charter of the United Nations, the International Covenants on Human Rights and other relevant international instruments, and to refrain from activities that are inconsistent with this international legal framework;

6. Reaffirms that such cooperation should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion and full realization of all human rights and fundamental freedoms for all and to the strengthening of international peace and security;

7. Underlines, in this context, the continuing need for accurate, impartial and objective information on the political, economic and social situations and events in all countries;

8. Requests all human rights bodies within the United Nations system, as well as special rapporteurs, special representatives, independent experts and working groups appointed or established as special procedures, duly to take into account the contents of the present resolution in carrying out their respective responsibilities;

9. Recognizes the valuable role that non-governmental organizations can play in the field of human rights;

10. Regrets that it has not yet been possible for the Secretary-General to submit recommendations on practical measures to promote international cooperation in the field of human rights related to possible ways and means to ensure that accurate, impartial and objective information on the political, economic and social situations and developments in all countries is made available to specialized bodies in this field, as requested by the Commission in its resolution 1991/79;

11. Requests the Secretary-General to submit to the Commission at its forty-ninth session, under the same agenda item, his recommendations on this matter pursuant to paragraph 8 of Commission resolution 1991/79, and to make

them available in a timely manner to the Preparatory Committee for the World Conference on Human Rights and to the regional conferences, as requested in paragraph 10 of General Assembly resolution 46/129.

48th meeting
28 February 1992
[Adopted without a vote. See chap. XI.]

1992/40. Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

The Commission on Human Rights,

Recalling that the General Assembly, in its resolutions 41/153 of 4 December 1986, 43/140 of 8 December 1988 and 45/168 of 18 December 1990, affirmed the value of regional arrangements for the promotion and protection of human rights in the Asian and Pacific region,

Recalling also its resolutions 1988/73 of 10 March 1988, 1989/50 of 7 March 1989, 1990/71 of 7 March 1990 and 1991/28 of 5 March 1991,

Taking note of resolution 45/2 adopted by the Economic and Social Commission for Asia and the Pacific on 5 April 1989,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Recognizing the valuable contribution that could be made by national institutions in the field of human rights to the concept of regional arrangements,

Recognizing also that non-governmental organizations may have a valuable role to play in this process,

Recalling that a seminar on regional arrangements for the promotion and protection of human rights was to have taken place in Jakarta at the end of 1991,

1. Welcomes the report of the Secretary-General (E/CN.4/1992/24);

2. Requests the Secretary-General to ensure a continuing flow of human rights materials to the library of the Economic and Social Commission for Asia and the Pacific;

3. Encourages all member States and associate members of the Economic and Social Commission for Asia and the Pacific and other parties to make full use of the depositary centre of that organization;

4. Encourages once again United Nations development agencies in the Asian and Pacific region to coordinate with the Economic and Social Commission for Asia and the Pacific in their efforts to promote the human rights dimension in their activities;

5. Welcomes the organization of regional workshops on various human rights issues, including regional and national institutions and arrangements for the promotion and protection of human rights, which have been held in the Asian and Pacific region;

6. Encourages all States in the Asian and Pacific region to consider further the establishment of regional arrangements for the promotion and protection of human rights in the region and, in this regard, requests once again the Secretary-General to organize, within existing resources, a seminar to discuss this matter in 1992;

7. Appeals to all Governments in the Asian and Pacific region to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services and technical assistance in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

8. Encourages all States in the Asian and Pacific region to consider ratifying or acceding to the various human rights instruments;

9. Requests the Secretary-General to consult the States in the Asian and Pacific region on the widest possible basis in the implementation of the present resolution;

10. Also requests the Secretary-General to submit to the Commission at its forty-ninth session a further report incorporating information on the progress achieved in the implementation of the present resolution;

11. Decides to continue its consideration of the question at its forty-ninth session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission".

48th meeting
28 February 1992
[Adopted without a vote. See chap. XI.]

1992/41. Human rights and thematic procedures

The Commission on Human Rights,

Considering that, over the years, thematic procedures established by the Commission with regard to the consideration of questions related to the promotion and protection of civil and political rights have earned an important position among its human rights monitoring mechanisms,

Noting with satisfaction that an increasing number of Governments, as well as non-governmental organizations, have developed a working relationship with one or more of the thematic procedures,

Recalling its resolution 1991/31 of 5 March 1991,

Recalling also its various resolutions in which it urged Governments to intensify their cooperation with the thematic special rapporteurs and working groups and to provide information requested on any measures taken in pursuance of recommendations addressed to them,

1. Commends those Governments that have invited any of the thematic special rapporteurs or the Working Group on Enforced or Involuntary Disappearances to visit their countries and recommends that Governments consider follow-up visits designed to assist them with effective implementation of recommendations by the thematic special rapporteurs and the Working Group on Enforced or Involuntary Disappearances;

2. Encourages Governments to respond expeditiously to requests for information made to them through the procedures, so that the thematic special rapporteurs concerned, the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention may carry out their mandates effectively;

3. Also encourages Governments encountering problems in the field of human rights to cooperate more closely with the Commission through the pertinent thematic procedures, in particular by inviting a thematic special rapporteur or working group to visit their countries;

4. Invites the Governments concerned to study carefully the recommendations addressed to them under thematic procedures and to keep the relevant mechanisms informed promptly on the progress made towards their implementation;

5. Invites the thematic special rapporteurs and working groups to include in their annual reports information provided by Governments on follow-up action, as well as their own observations thereon;

6. Invites non-governmental organizations to continue their cooperation with the thematic procedures;

7. *Encourages* the thematic special rapporteurs and working groups to follow closely the progress made by Governments in their investigations carried out within their respective mandates;

8. *Requests* the thematic special rapporteurs and working groups to include in their reports comments on problems of responsiveness and the results of analyses, as appropriate, in order to exercise their mandates even more effectively;

9. *Requests* the Secretary-General, in close contact with the thematic special rapporteurs and working groups, to issue annually a comprehensive compilation of their general recommendations;

10. *Also requests* the Secretary-General, in implementing the United Nations budget for the biennium 1992-1993, to ensure the availability of such resources as are necessary for an effective implementation of all thematic mandates, including any additional tasks entrusted to the thematic special rapporteurs and working groups by the Commission.

48th meeting
28 February 1992
[Adopted without a vote. See chap. XI.]

1992/42. *Consequences on the enjoyment of human rights of acts of violence committed by armed groups that spread terror among the population and by drug traffickers*

The Commission on Human Rights,

Recalling its resolution 1991/29 of 5 March 1991,

Deeply concerned at the persistent acts of violence committed in many countries by armed groups that spread terror among the population and by drug traffickers, frequently acting together,

Recalling that such acts prevent the unimpeded exercise of civil and political rights, such as participation in free elections, the right to peaceful assembly, freedom of association and trade union rights, as well as the exercise of economic, social and cultural rights, affecting adversely the well-being of peoples and causing severe damage to economic infrastructure and production of countries,

Realizing that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the International Covenants on Human Rights,

Acknowledging the invaluable contribution made by non-governmental organizations to the constant monitoring of all matters related to human rights and fundamental freedoms, Reiterating emphatically that all international obligations relating to the promotion and protection of human rights and fundamental freedoms must be honoured at all times,

1. Reiterates its deep concern at the adverse effect, on the enjoyment of human rights, of persistent acts of violence committed in many countries by armed groups, regardless of their origin, that spread terror among the population, and by drug traffickers;

2. Requests all special rapporteurs and working groups to continue paying particular attention to the adverse effect on the enjoyment of human rights of such acts of violence committed by armed groups, regardless of their origin, that spread terror among the population, and by drug traffickers, in their forthcoming reports to the Commission on the situation of human rights in those countries where such acts of violence occur;

3. Encourages non-governmental organizations to bear in mind the adverse effect on the enjoyment of human rights of the acts of violence committed in many countries by armed groups, regardless of their origin, that spread terror among the population, and by drug traffickers;

4. Requests the Secretary-General to continue collecting information on this question from all relevant sources and to make it available to the special rapporteurs and working groups concerned for their consideration;

5. Decides to continue its consideration of the question as a matter of high priority at its forty-ninth session.

48th meeting
28 February 1992
[Adopted without a vote. See chap. XI.]

1992/43. Question of a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

The Commission on Human Rights,

Recalling its decision 1991/107 of 5 March 1991, by which it decided to consider at its forty-eighth session the text, proposed by the Government of Costa Rica on 22 January 1991, of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see E/CN.4/1991/66), designed to establish a preventive system of visits to places of detention,

Noting that the draft optional protocol is a revised version of the draft submitted in 1980, also by Costa Rica, which takes account of the developments in the international fight against torture since then, *Recalling* its resolution 1986/56 of 13 March 1986 and its decision 1989/104 of 6 March 1989, in which it considered that a system of visits to places of detention could represent a major step forward towards the effective prevention of torture,

Noting that the Special Rapporteur on the question of torture, Mr. Peter Kooijmans, has considered in his last report (E/CN.4/1992/17) that the institution of a treaty-based system of periodic visits to places of detention would be a highly effective preventive measure against the occurrence of torture,

1. *Decides* to establish an open-ended inter-sessional working group of the Commission on Human Rights in order to elaborate a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, using as a basis for its discussions the draft text proposed by the Government of Costa Rica on 22 January 1991, and to consider the implications of its adoption and the relationship between the draft optional protocol, regional instruments and the Committee against Torture;

2. *Invites* all Governments, specialized agencies and non-governmental organizations to participate in the activities of the working group;

3. *Requests* the working group to meet for a period of two weeks prior to the forty-ninth session of the Commission;

4. *Requests* the Secretary-General to invite Governments, intergovernmental organizations, the Committee against Torture, the Special Rapporteur on the question of torture and non-governmental organizations to send comments on the draft optional protocol and its implications, for consideration by the working group, and to circulate these contributions to Governments in advance of the meeting of the working group;

5. *Also requests* the Secretary-General to invite international or regional bodies with experience in visiting places of detention to submit their observations to the working group;

6. *Further requests* the Secretary-General to extend all the necessary facilities to the working group for its meeting prior to the forty-ninth session of the Commission;

7. *Decides* to examine the question at its forty-ninth session under a specific sub-item entitled "Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" under the agenda item entitled "Question of the human rights of all persons subject to any form of detention or imprisonment";

8. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution IV.]

52nd meeting
3 March 1992
[Adopted without a vote. See chap. X.]

1992/44. Report of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Recalling Economic and Social Council resolution 1982/34 of 7 May 1982, in which the Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations with the mandate to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous people, giving special attention to the evolution of standards concerning the rights of indigenous people,

Recalling also its resolution 1988/44 of 8 March 1988, in which it urged the Working Group on Indigenous Populations to intensify its efforts, in carrying out its plan of action, to continue the elaboration of international standards in this field,

Having examined the report of the Working Group on its ninth session (E/CN.4/Sub.2/1991/40/Rev.1),

Conscious that, in various situations, indigenous people are unable to enjoy their inalienable human rights and fundamental freedoms,

Bearing in mind that international standards must be developed on the basis of the diverse realities of indigenous people in all parts of the world,

Determined to do everything possible to promote the enjoyment of the rights of indigenous people,

Reaffirming the decision of the Working Group, at its first session, that its working languages are English and Spanish,

1. Takes note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/30 of 29 August 1991 on the draft universal declaration of indigenous rights;

2. Expresses its appreciation to the Working Group on Indigenous Populations of the Sub-Commission for its valuable work, in particular the progress made at its ninth session in the area of standard-setting;

3. _Also expresses its appreciation_ for the active and constructive participation in the work of the Working Group of observers for Governments, the specialized agencies, non-governmental organizations and, in particular, indigenous people's organizations;

4. _Takes note_ of the plan, contained in the recommendations of the Working Group (E/CN.4/Sub.2/1991/40/Rev.1, annex I), for the completion of the first and second readings of the text of the draft declaration;

5. _Welcomes_ the decision of the Sub-Commission, contained in its resolution 1991/30, to continue to entrust the Chairman-Rapporteur of the Working Group, Mrs. Erica-Irene A. Daes, with the further development of a draft declaration on indigenous rights, taking into consideration, _inter alia_, the comments on the draft declaration which will be provided by Governments, indigenous people's organizations and other interested parties pursuant to the resolution of the Sub-Commission;

6. _Requests_ the Secretary-General to give the Chairman-Rapporteur of the Working Group the resources and assistance needed to carry out her task;

7. _Recommends_ to the Economic and Social Council that the Working Group be authorized to meet for ten working days prior to the forty-fourth session of the Sub-Commission, for the purpose of intensifying its efforts to complete a draft declaration on indigenous rights in consultation with interested Governments and indigenous people's organizations;

8. _Urges_ the Working Group to intensify its efforts to continue and to complete as soon as possible the elaboration of international standards based on a continued and comprehensive review of developments pertaining to the promotion and protection of the human rights of indigenous people and of the situation and aspirations of indigenous people throughout the world;

9. _Requests_ the Secretary-General to give all the necessary assistance to the Working Group in discharging its task, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies and non-governmental and indigenous people's organizations, in order to encourage the widest possible participation in its work;

10. _Also requests_ the Secretary-General:

(a) To transmit the report of the Working Group to Governments and indigenous people's, intergovernmental and non-governmental organizations, as soon as possible, for specific comments and suggestions aimed at the clarification, simplification and generalization of the texts contained in the annexes to its report;

(b) To ensure that all meetings of the Working Group at its tenth and future sessions are provided with interpretation and documentation in both English and Spanish;

11. Expresses its gratitude and appreciation to the Governments and organizations that have made contributions to the United Nations Voluntary Fund for Indigenous Populations;

12. Appeals to all Governments, organizations and individuals in a position to do so to consider favourably requests for initial as well as further contributions to the Fund;

13. Welcomes all of the initiatives taken by Governments, indigenous communities and non-governmental organizations to ensure the full participation of indigenous people in the activities related to the tasks of the Working Group on Indigenous Populations, such as the first World Indigenous Youth Conference, to be held in July 1992 at Quebec City, Canada.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XVII.]

1992/45. International Year for the World's Indigenous People

The Commission on Human Rights,

Bearing in mind that one of the purposes of the United Nations, set forth in the Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing the value and the diversity of the cultures and the forms of social organization of the world's indigenous people,

Welcoming General Assembly resolution 45/164 of 18 December 1990, in which the Assembly proclaimed 1993 as International Year for the World's Indigenous People, with a view to strengthening international cooperation for the solution of problems faced by indigenous communities in the areas, inter alia, of human rights, the environment, development, education and health,

Welcoming also General Assembly resolution 46/128 of 17 December 1991, in which the Assembly adopted a programme of activities for the International Year,

Taking into account the guidelines for international years and anniversaries adopted by the General Assembly in its decision 35/424 of 5 December 1980, _Noting with satisfaction_ the initiatives taken by the Executive Board of the United Nations Children's Fund as stated in its decision 1991/7 and by the Governing Council of the United Nations Development Programme in its decision 1991/12 in response to General Assembly resolution 45/164,

Noting the entry into force on 5 September 1991 of the Convention concerning Indigenous and Tribal Peoples in Independent Countries, 1989 (No. 169) of the International Labour Organisation,

Welcoming decision 3/7 adopted on 4 September 1991 by the Preparatory Committee for the United Nations Conference on Environment and Development, regarding the opportunity afforded by the International Year for the World's Indigenous People as a first step towards mobilizing international technical and financial cooperation for the self-development of indigenous people and their communities,

Mindful of the preparatory process for the World Conference on Human Rights, to be held in 1993,

Welcoming with satisfaction the theme "Indigenous people - a new partnership" for the International Year,

1. _Recommends_ that the specialized agencies, regional commissions and other relevant organizations of the United Nations system, in their consideration of the contributions that they can make to the success of the International Year for the World's Indigenous People, continue to be guided by how:

(a) Their operational activities can most effectively contribute to the solution of problems faced by indigenous people;

(b) Indigenous people can play an important role in the planning, implementation and evaluation of projects which may affect them;

2. _Invites_ Member States to inform the Secretary-General of the activities they intend to undertake in relation to the International Year;

3. _Encourages_ Member States to consult indigenous people, and non-governmental organizations working with them, regarding activities for the International Year;

4. _Acknowledges_ the appointment of the Under-Secretary-General for Human Rights as the Coordinator of the International Year for the World's Indigenous People, with functional duties being assigned to the Centre for Human Rights in conjunction with the Office of the Director-General for Development and International Economic Cooperation and the International Labour Organisation;

5. _Urges_ the Coordinator to solicit actively the cooperation of other elements of the United Nations, including financial and development institutions;

6. Accepts with satisfaction the task of promoting the programme of activities contained in the annex to General Assembly resolution 46/128 as a guideline for the International Year;

7. Welcomes the convening by the Coordinator, from 9 to 11 March 1992, of a technical meeting of specialized agencies, regional commissions and other relevant organizations of the United Nations system with representatives of States, organizations of indigenous people and other non-governmental organizations having a special interest in indigenous matters:

(a) To identify programme areas or capabilities that are of particular relevance and priority to indigenous people;

(b) To agree on specific objectives for special projects to be implemented in 1993 as part of the International Year and to ensure their consonance with the theme and objectives of the Year;

(c) To consider existing project guidelines and recommend effective means for including indigenous people in the initiation, design and implementation of the special projects to be undertaken in 1993;

(d) To suggest appropriate procedures and criteria for the evaluation of projects involving indigenous people, in 1993 and thereafter;

(e) To consider what financial provisions, if any, need to be made to ensure implementation of the foregoing;

(f) To report on the outcome of the technical meeting to the Secretary-General;

8. Agrees to continue to take into account the ongoing work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as that of the Working Group on Indigenous Populations;

9. Encourages those States that are in a position to do so to consider means by which they could provide resources to assist the work of the United Nations on the International Year, for example by the secondment of suitable staff;

10. Urges States, intergovernmental and non-governmental organizations, as well as organizations of indigenous people, to contribute to the Voluntary Fund for the International Year for the World's Indigenous People opened by the Secretary-General;

11. Requests the Preparatory Committee for the World Conference on Human Rights to take into account in its preparations the fact that the World Conference will take place during the International Year;

12. Requests the Secretary-General to accept and administer voluntary contributions from Governments, intergovernmental organizations and indigenous and non-indigenous organizations for the purpose of funding programme activities for the International Year;

13. Also requests the Secretary-General to give all necessary assistance to the Coordinator for the International Year for the World's Indigenous People to permit him to carry out his tasks;

14. Acknowledges the request made by the General Assembly to the Commission to convene a meeting of participating parties to the programmes and projects of the International Year for the World's Indigenous People to assess after the International Year what conclusions can be drawn from the activities;

15. Proposes to the General Assembly that the title of the International Year be amended to "1993 - The International Year of the World's Indigenous People".

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XVII.]

1992/46. United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

The Commission on Human Rights,

Recalling article 4 of the Universal Declaration of Human Rights and article 8 of the International Covenant on Civil and Political Rights, which state that no one shall be held in slavery or servitude,

Bearing in mind General Assembly resolution 46/122 of 17 December 1991,

Gravely concerned that slavery, the slave trade, slavery-like practices and even modern manifestations of this phenomenon still exist, representing some of the gravest violations of human rights,

Convinced that the United Nations Trust Fund on Contemporary Forms of Slavery will play an important role in the protection of the human rights of victims of contemporary forms of slavery,

Affirming that the struggle to eliminate slavery includes the provision of assistance to the victims and to the representatives of non-governmental organizations dealing with issues of contemporary forms of slavery,

1. Appeals to all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the United Nations Trust Fund on Contemporary Forms of Slavery, if possible on a regular basis;

2. Requests the Secretary-General to transmit to all Governments the appeal of the Commission for contributions to the Fund;

3. Also requests the Secretary-General to appoint, in accordance with General Assembly resolution 46/122, a board of trustees composed of five persons with relevant experience in the field of human rights and contemporary forms of slavery in particular;

4. Further requests the Secretary-General to make use of all existing possibilities to assist the Board of Trustees of the Fund, inter alia, through the preparation, production and dissemination of information material, in its efforts to make the Fund and its humanitarian work better known.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XVII.]

1992/47. Report of the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Recalling the provisions of the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949,

Taking note of the report of the Working Group on Contemporary Forms of Slavery on its sixteenth session (E/CN.4/Sub.2/1991/41 and Corr.1), submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session,

Having considered Sub-Commission resolutions 1987/31 and 1987/32 of 4 September 1987, 1988/31 of 1 September 1988, 1989/41 of 1 September 1989, 1990/30 of 31 August 1990 and 1991/34 of 29 August 1991,

Recalling its resolutions 1982/20 of 10 March 1982 on the question of slavery and the slave trade in all their practices and manifestations and 1988/42 of 8 March 1988, 1989/35 of 6 March 1989, 1990/63 of 7 March 1990 and 1991/58 of 6 March 1991 on the report of the Working Group on Contemporary Forms of Slavery of the Sub-Commission,

Recalling Economic and Social Council resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, Recalling also Economic and Social Council resolutions 1988/34 of 27 May 1988, 1989/74 of 24 May 1989, 1990/46 of 25 May 1990 and 1991/35 of 31 May 1991,

Recalling further General Assembly resolutions 38/107 of 16 December 1983 and 40/103 of 13 December 1985 on the prevention of prostitution,

Gravely concerned that slavery, the slave trade, slavery-like practices and even modern manifestations of this phenomenon still exist, representing some of the gravest violations of human rights,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its valuable work, in particular the progress made at its sixteenth session in executing its programme of work, and for its continued broad approach and flexible methods of work;

2. Requests the Secretary-General to invite States parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 to submit to the Sub-Commission regular reports on the situation in their countries, as provided for under the Conventions and in Economic and Social Council decision 16 (LVI) of 17 May 1974, which contains the mandate of the Working Group on Contemporary Forms of Slavery;

3. Invites those eligible States that have not ratified the relevant Conventions to consider doing so as soon as possible, or to explain in writing why they feel unable to do so, and invites them to consider providing information regarding their national legislation and practices in this field;

4. Invites intergovernmental organizations, relevant organizations of the United Nations system, including the United Nations Children's Fund, the United Nations Development Programme, the United Nations University, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Bank and the International Monetary Fund, as well as the International Criminal Police Organization and non-governmental organizations concerned to continue to supply relevant information to the Working Group;

5. Appeals to all Governments to send representatives to the meetings of the Working Group on Contemporary Forms of Slavery;

6. Encourages the Sub-Commission, including its Working Group, once again to elaborate recommendations on the ways and means of establishing an effective mechanism for the implementation of the Slavery Conventions on the basis of the study prepared by the Secretary-General on this issue (E/CN.4/Sub.2/1989/37);

7. Takes note again with appreciation of the assignment by the Secretary-General of a part-time Professional staff member to serve the Working Group and undertake other activities relating to contemporary forms of slavery under the post, which has been included in the budget of the Centre for Human Rights for questions relating to slavery and slavery-like practices, and requests once again the Secretary-General to assign this staff member on a full-time basis;

8. Recalls once again its request to the Secretary-General to designate the Centre for Human Rights as the focal point for the coordination of activities in the United Nations for the suppression of contemporary forms of slavery;

9. Calls upon all relevant non-governmental organizations, including those interested in the rights of children and women, to attend the sessions of the Working Group;

10. Recommends that the supervisory bodies of the International Labour Organisation give particular attention in their work to the implementation of provisions and standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery;

11. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining periodic reports of the States parties, give particular attention to the implementation of articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34, 35 and 36 of the Convention on the Rights of the Child, with a view to combating contemporary forms of slavery;

12. Invites once again the Special Rapporteur on the sale of children to examine ways and means of cooperating with the Working Group on Contemporary Forms of Slavery;

13. Recalls its request to the Secretary-General to report to the Economic and Social Council on the steps taken by Member States, organizations of the United Nations system and intergovernmental organizations to implement the recommendations contained in Council resolution 1983/30, and requests the Secretary-General to report to the Council at its substantive session of 1992 on the comments received and to make this report available to the Working Group;

14. Invites all Member States to consider the possibility of taking appropriate action for the protection of particularly vulnerable groups such as children and migrant women against exploitation by prostitution and other slavery-like practices, including the possibility of establishing national bodies to achieve these objectives;

15. Requests Governments to pursue a policy of information, prevention and rehabilitation of women victims of the exploitation of prostitution and to take the appropriate economic and social measures deemed necessary to that effect;

16. Requests the Secretary-General to make arrangements to hold the seventeenth session of the Working Group on Contemporary Forms of Slavery from 4 to 13 May 1992;

17. Recommends that these concerns be fully considered by the Working Group at its seventeenth session, when its main theme of work will be an overall evaluation of its activities during the fourteenth, fifteenth and sixteenth sessions, as well as the consideration of any crucial, serious or urgent matters.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XVII.]

1992/48. Human rights and disability

The Commission on Human Rights,

Recalling Economic and Social Council resolution 1984/26 of 24 May 1984, in which the Council requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a special rapporteur to undertake a study on human rights, disability and the progress made to alleviate problems,

Having considered the final report of the Special Rapporteur on human rights and disability (E/CN.4/Sub.2/1991/31),

Taking account of Sub-Commission resolution 1991/19 of 28 August 1991,

Welcoming the decision by the Commission for Social Development in its resolution 32/2 to estabish an open-ended working group to elaborate standard rules on the equalization of opportunities for disabled persons and its decision to submit the text of those rules to the Economic and Social Council in 1993 for transmittal to the General Assembly at its forty-eighth session,

1. Expresses its appreciation to the Special Rapporteur, Mr. Leandro Despouy, for his final report on human rights and disability (E/CN.4/Sub.2/1991/31);

2. Requests the Secretary-General to study the technical as well as financial feasibility of the recommendations contained in the final report of the Special Rapporteur, with a view to implementing, within existing resources, those that are within his competence;

3. Also requests the Secretary-General:

(a) To ensure better coordination among specialized agencies, the human rights bodies of the United Nations and other organs dealing with the human rights of disabled persons;

(b) To take the necessary steps to ensure that the final report on human rights and disability of the Special Rapporteur is issued as a United Nations publication in all the official languages and is given the widest possible circulation;

(c) To make available the appropriate computer diskettes to those organizations that might wish to reproduce the report in Braille, large print or on cassette;

(d) To transmit the final report of the Special Rapporteur to the Commission for Social Development for consideration;

4. Invites human rights treaty-monitoring bodies, notably the Committee on Economic, Social and Cultural Rights and the Human Rights Committee, to monitor the compliance of States with their commitments under the relevant human rights instruments in order to ensure the full enjoyment of those rights by disabled persons;

5. Expresses its appreciation to the Centre for Social Development and Humanitarian Affairs of the Secretariat for its efforts to coordinate and supervise the implementation of the World Programme of Action concerning Disabled Persons;

6. Invites the Secretary-General to request the Centre for Social Development and Humanitarian Affairs, in cooperation with the Commission on Social Development and relevant United Nations human rights bodies:

(a) To continue its functions pertinent to paragraph 5 of the present resolution;

(b) To make available all of its documentary material in Braille and on cassette to those organizations that might want to publish it.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XVII.]

1992/49. Human rights and youth

The Commission on Human Rights,

Taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/20 of 28 August 1991, Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution V.]

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XVII.]

1992/50. Fraudulent enrichment of top State officials prejudicial to the public interest, the factors responsible for it, and the agents involved in all countries in such fraudulent enrichment

The Commission on Human Rights,

Recalling the resolution on corruption in government adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana, from 27 August to 7 September 1990, in which the Congress noted that the problems of corruption in public administration were universal and that, although they had particularly deleterious effects on nations with vulnerable economies, those effects were felt throughout the world, and stated its conviction that corrupt activities of public officials could destroy the potential effectiveness of all types of governmental programmes, hinder development and victimize individuals and groups (see A/CONF.144/28/Rev.1, chap. I, sect. C),

Considering the necessity for determined action to combat the fraudulent or illicit enrichment of top State officials and the transfer abroad of the assets thus diverted, as well as to prevent those practices which undermine the democratic system in countries throughout the world and constitute an obstacle to the economies of the countries concerned,

Considering also that, in some countries, corruption has become systematic,

Noting with anxiety that corruption has further acquired a transnational character, in particular as a result of the illicit arms trade, international drug trafficking and money laundering,

Convinced that the solution of these problems calls not only for resolute political will on the part of national authorities, but also for close international cooperation, notably in the form of mutual legal assistance,

Noting with regret that, although international law does not regard the misappropriation of public funds as a political offence but accords it the character of a common law offence, the law and judicial practice of most States do not allow the extradition of persons guilty of such misappropriation, *Considering* that, for many peoples who have been the victims of institutionalized corruption and who, at present, are seeking to strengthen their democratic system, a satisfactory solution to these problems is necessary not only from a moral point of view, but above all in order to ensure reparation of damage caused to their economic interests as a result of the illicit removal of these resources,

Considering that all countries have an obligation to take steps to prevent fraudulently acquired funds from entering their territory,

Convinced that developed countries have a special responsibility to contribute diligently to the restitution to despoiled peoples of the funds which their leaders have extorted from them, with a view to contributing to their economic, social and cultural development,

Recalling its resolution 1991/18 of 1 March 1991, in which it expressed its awareness that, despite progress achieved by the international community with respect to the setting of standards for the realization of economic, social and cultural rights contained in the International Covenant on Economic, Social and Cultural Rights, the implementation and promotion of those rights and the problems of their realization had not yet received sufficient attention within the framework of the United Nations system,

Recalling also General Assembly resolution 45/155 of 18 December 1990, in which the Assembly decided, *inter alia*, that one of the objectives of the World Conference on Human Rights in 1993 should be to examine the relationship between development and the enjoyment by everyone of economic, social and cultural rights, as well as of civil and political rights,

1. *Decides* to keep in mind the question of the fraudulent enrichment of top State officials prejudicial to the public interest, the factors responsible for it, and the agents involved in all countries in such fraudulent enrichment when discussing the question of the realization in all countries of the economic, social and cultural rights proclaimed in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights;

2. *Requests* the Secretary-General to bring the present resolution to the attention of the Commission on Crime Prevention and Criminal Justice.

52nd meeting
3 March 1992
[Adopted by 49 votes to none, with 2 abstentions.
See chap. XVII.]

1992/51. *Strengthening of the rule of law*

The Commission on Human Rights,

Recalling that the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all, without any distinction, is one of the purposes of the United Nations,

Recalling also that, by adopting the Universal Declaration of Human Rights, Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Convinced also that through national legal and judicial systems States can provide civil, criminal and administrative remedies for violations of human rights,

Considering that under the provisions of the Universal Declaration of Human Rights everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized,

Mindful of the key role played by different national institutions in ensuring respect for and observance of human rights and fundamental freedoms, as stressed in many of its previous resolutions, most recently in resolution 1991/27 of 5 March 1991,

Bearing in mind the various resolutions adopted on the programme of advisory services in the field of human rights, most recently its resolution 1991/50 of 5 March 1991, and the need to strengthen that programme and to make it more effective,

Recognizing that, particularly in developing countries, although Governments may be fully committed to developing and strengthening the rule of law with a view to ensuring respect for human rights and fundamental freedoms, they may face difficulties arising from the lack of adequate human, material and financial resources, and that these Governments should be assisted in this effort by the United Nations upon their request,

Recognizing the need for the United Nations to equip itself with the mechanisms required for making a more positive and significant contribution to strengthening the rule of law in countries engaged in such efforts,

Noting that the objectives of the World Conference on Human Rights, as set forth in General Assembly resolution 45/155 of 18 December 1990, include the identification of obstacles to further progress in the field of human rights, and ways and means by which they can be overcome, as well as the examination of the relationship between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, and noting also that, in that context, the question of the strengthening of the rule of law merits particular attention,

1. Recognizes the need to consider ways and means by which the United Nations system can make a more positive and significant contribution to the development and strengthening, by Member States, of the rule of law, as an essential factor for the promotion and protection of human rights and fundamental freedoms, including through the establishment of mechanisms that can contribute with substantial technical and financial assistance to operational human rights-related projects in areas such as law enforcement, the administration of justice and others;

2. Requests the Secretary-General of the World Conference on Human Rights to take the present resolution into account in the preparation of relevant studies and reports to be submitted to the Preparatory Committee.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XI.]

1992/52. Regional arrangements for the promotion and protection of human rights

The Commission on Human Rights,

Recalling General Assembly resolution 32/127 of 16 December 1977 and all subsequent resolutions concerning regional arrangements for the promotion and protection of human rights, in particular Assembly resolutions 45/167 and 45/168 of 18 December 1990,

Recalling that the General Assembly in its resolution 45/167 invited the Secretary-General to submit to the Commission at its forty-eighth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of that resolution,

Recalling its relevant resolutions concerning advisory services in the field of human rights, including its most recent resolution on that subject, 1991/50 of 5 March 1991,

Recalling also its resolutions 1989/50 of 7 March 1989, 1990/71 of 7 March 1990 and 1991/28 of 5 March 1991 concerning regional arrangements for the promotion and protection of human rights in the Asian and Pacific region,

Having considered the report of the Secretary-General on regional arrangements for the promotion and protection of human rights (E/CN.4/1992/58), _Noting with satisfaction_ the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

Reaffirming that regional arrangements for the promotion and protection of human rights may make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field among the regions, within the United Nations system, may be improved,

Bearing in mind that regional instruments should complement the universally accepted human rights standards and that the persons chairing the human rights treaty bodies noted during their third meeting, held at Geneva from 1 to 5 October 1990 (see A/45/636, annex), that certain inconsistencies between provisions of international instruments and those of regional instruments might raise difficulties with regard to their implementation,

1. _Takes note_ of the report of the Secretary-General;

2. _Notes with interest_ that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities, with a view to the exchange of information and experience in the field of human rights;

3. _Welcomes_ in that respect the close cooperation given by the Centre for Human Rights in the organization of regional and subregional training courses or workshops in the field of human rights including, most recently, those that took place at San Remo, Cairo, Windhoek, Paris, Barcelona, Valetta, Caracas, Brasilia and Santiago;

4. _Also welcomes_ the continuing cooperation and assistance of the Centre for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights;

5. _Invites_ States in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;

6. _Welcomes_ in this regard the continued cooperation of the Centre for Human Rights with the Executive Secretary of the Economic and Social Commission for Asia and the Pacific for the establishment of a depositary centre for United Nations human rights materials within that Commission at Bangkok;

7. Endorses the efforts of the Centre for Human Rights to enhance cooperation between the United Nations and regional and national institutions, particularly in the field of advisory services and technical assistance, public information and education in the field of human rights;

8. Stresses the importance of the programme of advisory services in the field of human rights and renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations under this programme of organizing information and/or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies;

9. Requests the Secretary-General, as foreseen in the medium-term plan for the period 1992-1997, to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights, and welcomes, in this connection, the fact that the Centre for Human Rights will continue to organize national, regional and subregional workshops and training courses for government officials engaged in the administration of justice and in the implementation of the international human rights instruments;

10. Invites the organizers of regional meetings convened in preparation for the World Conference on Human Rights to promote further ratification of and accession to United Nations human rights treaties and the implementation of those universally accepted human rights standards;

11. Stresses the importance of continuing to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations;

12. Requests the Secretary-General to submit to the Commission at its forty-ninth session a report on the state of regional arrangements for the promotion and protection of human rights and to include the results of action taken in pursuance of the present resolution;

13. Decides to consider the question further at its forty-ninth session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission".

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XI.]

1992/53. Strengthening of the Centre for Human Rights

The Commission on Human Rights,

Recalling General Assembly resolutions 45/180 of 21 December 1990, 45/248 B of 21 December 1990, in particular section VI thereof, and 46/118 of 17 December 1991, Economic and Social Council resolutions 1990/47 of 25 May 1990 and 1991/36 of 31 May 1991 as well as its own resolutions 1989/46 of 6 March 1989, 1989/54 of 7 March 1989, 1990/25 of 27 February 1990 and 1991/23 of 5 March 1991,

Recalling General Assembly resolution 46/185 C of 20 December 1991, section XIX, on questions related to the proposed programme budget for the biennium 1992-1993 relevant to section 28, human rights,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic purposes of the Charter of the United Nations and an issue of the utmost importance for the Organization,

Recalling also that the Commission, in paragraph 30 of its report (E/CN.4/1988/85 and Corr.1) to the Special Commission of the Economic and Social Council, reaffirmed that "the paramount consideration in the employment of staff at every level is the need for the highest standards of efficiency, competence and integrity, and is convinced that this is compatible with the principle of equitable geographical distribution", and bearing in mind Article 101, paragraph 3, of the Charter of the United Nations,

Recognizing the important role of the Centre for Human Rights in the promotion, protection and implementation of human rights and the need to provide sufficient human resources to the Centre, particularly in view of the fact that its workload has greatly increased while resources have failed to keep pace with the expansion of its responsibilities, as noted in various reports of the Secretary-General (E/1990/50 and A/45/807),

Taking note of the interim report of the Secretary-General (E/CN.4/1992/75) on the developments relating to the activities of the Centre for Human Rights, and on the measures taken to implement General Assembly resolution 46/118,

Noting that the Centre for Human Rights has been requested by the Commission on Human Rights and the Economic and Social Council to carry out additional mandates after the preparation of the proposed programme budget for the biennium 1992-1993,

1. Emphasizes that, in implementing the budget for the biennium 1992-1993, adequate staffing, temporary assistance and other resources should be allocated to the Centre for Human Rights so as to enable it to respond to its increasing workload and to cover its needs in order to carry out all the functions assigned to it, including all the mandates and the preparations for the World Conference on Human Rights and the Conference itself;

2. Requests the Secretary-General to take into account, when preparing the budget outline for the biennium 1994-1995, that adequate resources are projected for human rights, in particular for the Centre for Human Rights;

3. Decides to consider the question again at its forty-ninth session.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XI.]

1992/54. National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling its relevant resolutions and those of the General Assembly concerning national institutions for the promotion and protection of human rights, notably its resolutions 1990/73 of 7 March 1990 and 1991/27 of 5 March 1991, and Assembly resolutions 44/64 of 8 December 1989 and 46/124 of 17 December 1991,

Stressing the importance of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments for promoting respect for, and observance of, human rights and fundamental freedoms,

Affirming that priority should be accorded to the development of appropriate arrangements at the national level to ensure the effective implementation of international human rights standards,

Convinced of the important role that can be played by institutions at the national level in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played and should continue to play a catalytic role in assisting the development of national institutions,

Mindful in this regard of the guidelines on the structure and functioning of national institutions for the promotion and protection of human rights, endorsed by the General Assembly in its resolution 33/46 of 14 December 1978,

Recalling the recommendations contained in General Assembly resolution 45/155 of 18 December 1990 and Commission on Human Rights resolution 1991/30 of 5 March 1991 inviting the Preparatory Committee for the World Conference on Human Rights to examine ways and means by which the World Conference could encourage the establishment or strengthening of national institutions, *Welcoming* the convening in Paris from 7 to 9 October 1991, by the Centre for Human Rights, of an international workshop on national institutions for the promotion and protection of human rights,

Noting with satisfaction the constructive participation of representatives of a number of national institutions for the promotion and protection of human rights in international seminars and workshops organized or sponsored by the United Nations and its Member States and in other United Nations activities,

1. *Reaffirms* the importance of developing, in accordance with national legislation, effective national institutions for the promotion and protection of human rights and of ensuring the pluralism of their membership and their independence;

2. *Takes note* of progress in this area and in particular of the increased effectiveness of national institutions for the promotion and protection of human rights, as well as of the efforts of the Centre for Human Rights to increase cooperation with regional and national institutions;

3. *Encourages* all Member States to take appropriate steps to promote the exchange, including by national institutions, of information and experience concerning the establishment and operation of such national institutions;

4. *Encourages* initiatives on the part of Governments and regional, international, intergovernmental and non-governmental organizations intended to strengthen existing national institutions and to establish such institutions where they do not exist;

5. *Requests* the Secretary-General to respond favourably to requests from Member States for assistance in the establishment and strengthening of national institutions for the promotion and protection of human rights as part of the programme of advisory services and technical cooperation in the field of human rights;

6. *Requests* the Centre for Human Rights to continue its efforts in order to enhance cooperation between the United Nations and regional and national institutions, particularly in the fields of advisory services and technical assistance and of information and education, including within the framework of the World Public Information Campaign for Human Rights;

7. *Affirms* the role of national institutions, where they exist, as appropriate agencies for the dissemination of human rights materials and other public information activities under the auspices of the United Nations;

8. *Recognizes* the important and constructive role that non-governmental organizations can play in cooperation with national institutions for the better promotion and protection of human rights;

9. *Takes note with satisfaction and appreciation* of the report of the International Workshop on National Institutions for the Promotion and Protection of Human Rights (E/CN.4/1992/43 and Add. 1 and 2);

10. *Welcomes* the guidance provided by the recommendations contained in the report of the International Workshop and in particular the principles relating to the status of commissions and their advisory role;

11. *Decides* to rename those principles the "Principles relating to the status of national institutions" and to transmit those Principles, annexed to the present resolution, to the General Assembly, through the Economic and Social Council, for adoption;

12. *Requests* the Secretary-General to publicize the proceedings of the International Workshop and to undertake follow-up activities;

13. *Also requests* the Secretary-General to transmit those proceedings to the Preparatory Committee for the World Conference on Human Rights and requests the Preparatory Committee to consider ways of promoting the Principles relating to the status of national institutions;

14. *Further requests* the Secretary-General to commence the planning of a follow-up international workshop in 1993, following the World Conference on Human Rights, and to submit a report on those preparations to the Commission at its forty-ninth session;

15. *Requests* the Secretary-General to give consideration to the results of the International Workshop in the preparation of a manual on national institutions;

16. *Encourages* Member States and competent bodies to give appropriate attention to national institutions for the promotion and protection of human rights in the context of their preparations for the World Conference on Human Rights;

17. *Decides* to continue its consideration of the question at its forty-ninth session as a sub-item under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission", in particular ways to study and promote the Principles relating to the status of national institutions.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XI.]

ANNEX

Principles relating to the status of national institutions

Competence and responsibilities

1. A national institution shall be vested with competence to promote and protect human rights.

2. A national institution shall be given as broad a mandate as possible, which shall be clearly set forth in a constitutional or legislative text, specifying its composition and its sphere of competence.

3. A national institution shall, inter alia, have the following responsibilities:

(a) To submit to the Government, Parliament and any other competent body, on an advisory basis either at the request of the authorities concerned or through the exercise of its power to hear a matter without higher referral, opinions, recommendations, proposals and reports on any matters concerning the promotion and protection of human rights; the national institution may decide to publicize them; these opinions, recommendations, proposals and reports, as well as any prerogative of the national institution, shall relate to the following areas:

(i) Any legislative or administrative provisions, as well as provisions relating to judicial organization, intended to preserve and extend the protection of human rights; in that connection, the national institution shall examine the legislation and administrative provisions in force, as well as bills and proposals, and shall make such recommendations as it deems appropriate in order to ensure that these provisions conform to the fundamental principles of human rights; it shall, if necessary, recommend the adoption of new legislation, the amendment of legislation in force and the adoption or amendment of administrative measures;

(ii) Any situation of violation of human rights which it decides to take up;

(iii) The preparation of reports on the national situation with regard to human rights in general, and on more specific matters;

(iv) Drawing the attention of the Government to situations in any part of the country where human rights are violated and making proposals to it for initiatives to put an end to such situations and, where necessary, expressing an opinion on the positions and reactions of the Government;

(b) To promote and ensure the harmonization of national legislation regulations and practices with the international human rights instruments to which the State is a party, and their effective implementation;

(c) To encourage ratification of the above-mentioned instruments or accession to those instruments, and to ensure their implementation;

(d) To contribute to the reports which States are required to submit to United Nations bodies and committees, and to regional institutions, pursuant to their treaty obligations, and where necessary, to express an opinion on the subject, with due respect for their independence;

(e) To cooperate with the United Nations and any other organization in the United Nations system, the regional institutions and the national institutions of other countries that are competent in the areas of the promotion and protection of human rights;

(f) To assist in the formulation of programmes for the teaching of, and research into, human rights and to take part in their execution in schools, universities and professional circles;

(g) To publicize human rights and efforts to combat all forms of discrimination, in particular racial discrimination, by increasing public awareness, especially through information and education and by making use of all press organs.

Composition and guarantees of independence and pluralism

1. The composition of the national institution and the appointment of its members, whether by means of an election or otherwise, shall be established in accordance with a procedure which affords all necessary guarantees to ensure the pluralist representation of the social forces (of civilian society) involved in the promotion and protection of human rights, particularly by powers which will enable effective cooperation to be established with, or through the presence of, representatives of:

(a) Non-governmental organizations responsible for human rights and efforts to combat racial discrimination, trade unions, concerned social and professional organizations, for example, associations of lawyers, doctors, journalists and eminent scientists;

(b) Trends in philosophical or religious thought;

(c) Universities and qualified experts;

(d) Parliament;

(e) Government departments (if they are included, these representatives should participate in the deliberations only in an advisory capacity).

2. The national institution shall have an infrastructure which is suited to the smooth conduct of its activities, in particular adequate funding. The purpose of this funding should be to enable it to have its own staff and premises, in order to be independent of the Government and not be subject to financial control which might affect its independence.

3. In order to ensure a stable mandate for the members of the institution, without which there can be no real independence, their appointment shall be effected by an official act which shall establish the specific duration of the mandate. This mandate may be renewable, provided that the pluralism of the institution's membership is ensured.

Methods of operation

Within the framework of its operation, the national institution shall:

(a) Freely consider any questions falling within its competence, whether they are submitted by the Government or taken up by it without referral to a higher authority, on the proposal of its members or of any petitioner;

(b) Hear any person and obtain any information and any documents necessary for assessing situations falling within its competence;

(c) Address public opinion directly or through any press organ, particularly in order to publicize its opinions and recommendations;

(d) Meet on a regular basis and whenever necessary in the presence of all its members after they have been duly convened;

(e) Establish working groups from among its members as necessary, and set up local or regional sections to assist it in discharging its functions;

(f) Maintain consultation with the other bodies, whether jurisdictional or otherwise, responsible for the promotion and protection of human rights (in particular, ombudsmen, mediators and similar institutions);

(g) In view of the fundamental role played by the non-governmental organizations in expanding the work of the national institutions, develop relations with the non-governmental organizations devoted to promoting and protecting human rights, to economic and social develoment, to combating racism, to protecting particularly vulnerable groups (especially children, migrant workers, refugees, physically and mentally disabled persons) or to specialized areas.

Additional principles concerning the status of commissions with quasi-jurisdictional competence

A national institution may be authorized to hear and consider complaints and petitions concerning individual situations. Cases may be brought before it by individuals, their representatives, third parties, non-governmental organizations, associations of trade unions or any other representative organizations. In such circumstances, and without prejudice to the principles stated above concerning the other powers of the commissions, the functions entrusted to them may be based on the following principles:

(a) Seeking an amicable settlement through conciliation or, within the limits prescribed by the law, through binding decisions or, where necessary, on the basis of confidentiality;

(b) Informing the party who filed the petition of his rights, in particular the remedies available to him, and promoting his access to them;

(c) Hearing any complaints or petitions or transmitting them to any other competent authority within the limits prescribed by the law;

(d) Making recommendations to the competent authorities, especially by proposing amendments or reforms of the laws, regulations and administrative practices, especially if they have created the difficulties encountered by the persons filing the petitions in order to assert their rights.

1992/55. Establishment of an emergency mechanism of the Commission on Human Rights

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments for the promotion and protection of human rights and fundamental freedoms,

Determined to achieve still further progress in the implementation of the principles and rights enshrined in those instruments,

Convinced that the reinforcement of special procedures and mechanisms established or applied by the Commission on Human Rights to promote, protect and implement international human rights guarantees will contribute towards strengthening the role and enhance the effectiveness of the United Nations in human rights fact-finding, reporting and implementation of existing standards,

Considering that an emergency mechanism of the Commission on Human Rights will enable the United Nations to react appropriately and immediately to acute situations arising from gross violations of human rights wherever and whenever they occur,

Recognizing that such a mechanism should reflect the relevant fundamental principles embodied in the Charter of the United Nations, in particular the sovereignty of States and the need to protect and enhance human rights, *Recognizing also* the need for States, in exercising their sovereignty, to cooperate closely with the Commission on Human Rights as regards the mechanisms established by it,

Bearing in mind the approval by the General Assembly in its resolution 46/59 of 9 December 1991 of the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security,

Recalling Economic and Social Council resolution 1990/48 of 25 May 1990, in which the Council authorized the Commission on Human Rights to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agree,

1. *Takes note* of the proposal for the establishment of an emergency mechanism of the Commission on Human Rights as outlined in the annex to the present resolution;

2. *Decides*, in order to enable Member States to consider carefully the establishment of an emergency mechanism of the Commission on Human Rights as outlined in the annex to the present resolution, to resume consideration of the proposed mechanism at its forty-ninth session, taking also into account further suggestions that might be submitted on the subject.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XI.]

ANNEX

Emergency mechanism of the Commission on Human Rights

1. The Commission on Human Rights establishes an emergency mechanism as described in the following paragraphs in order to be in a position to react, without delay and in an appropriate manner, to an acute situation arising from a gross violation of human rights.

2. The Secretary-General shall establish and maintain a list of independent experts acting in their personal capacity. Each regional group shall nominate experts to be included in the list. The experts shall be eminent persons experienced in various fields of human rights protection, from whom impartial performance of this function may be expected. An expert's name shall be maintained on the list for three years, unless he or she retires or resigns earlier. An expert may be reappointed if he or she is renominated by the regional group concerned.

3. Upon written request of any Member State directed to the Secretary-General concerning a situation as described in paragraph 1 above in another country, the Secretary-General shall immediately request the views of

the Government of that country on the incident, such views to be submitted to the Secretary-General within a week of receipt of the Secretary-General's request.

4. The written request, together with the comments which the Government concerned might wish to submit, shall be forwarded by the Secretary-General to States members of the Commission in order to seek their views on whether the emergency mechanism of the Commission should be set in motion. The Secretary-General shall receive affirmative or negative responses within one week. If a majority of all member States who have responded agree, the Secretary-General shall invite the Bureau of the Commission to establish without delay a group composed of five experts chosen from the list maintained by the Secretary-General, taking into account equitable geographical distribution. The five experts chosen by the Bureau shall be persons having particular experience relevant to the incident.

5. The group of experts shall collect information from all appropriate sources and produce a report summarizing that information and containing conclusions and recommendations. The group of experts shall receive all information in confidence and its members shall respect the confidential nature of their task. The group of experts shall cooperate as appropriate with existing mechanisms of the Commission, such as thematic rapporteurs and working groups, if their expertise is relevant to the incident under consideration.

6. All States, including the State concerned, shall cooperate with the Commission on Human Rights and the group of experts and give them the full and prompt assistance necessary for the exercise of their functions and the fulfilment of their mandate. The gathering of relevant information may require a fact-finding mission to the State concerned. Such a mission can only be conducted with the consent of the State concerned. The report of the group of experts shall be submitted without delay to the Government concerned in order to enable it to submit to the Secretary-General, within two weeks of its receipt, observations, comments and information on any action it has taken or intends to take.

7. The report, together with any observations, comments and information supplied by the State concerned, shall be forwarded immediately by the Secretary-General to all Member States for their consideration and shall also be forwarded to the relevant thematic rapporteurs and working groups of the Commission.

8. The report together with any observations, comments or information will remain confidential until submitted by the Secretary-General for consideration to the appropriate meeting, in accordance with paragraph 9 below.

9. The Secretary-General shall contact the member States of the Commission and, if a majority agrees, an exceptional meeting of the Commission on Human Rights shall be convened in accordance with Economic and Social Council resolution 1990/48 of 25 May 1990. If member States do not agree to

the holding of an exceptional meeting, the report shall be submitted by the Secretary-General to the General Assembly or the next regular session of the Commission, whichever occurs first.

1992/56. Discrimination against people infected with the human immunodeficiency virus (HIV) or with acquired immunodeficiency syndrome (AIDS)

The Commission on Human Rights,

Recalling General Assembly resolutions 45/187 of 21 December 1990 and 46/203 of 20 December 1991, Economic and Social Council resolution 1990/86 of 27 July 1990, World Health Assembly resolutions WHA41.24 of 13 May 1988 and WHA43.10 of 16 May 1990 on women, children and AIDS, and other relevant resolutions and decisions adopted by organizations of the United Nations system, as well as by other competent forums,

Recalling its resolution 1990/65 of 7 March 1990, in which it endorsed the appointment by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of Mr. Luis Varela Quirós to undertake a study on problems and causes of discrimination against people infected with the human immunodeficiency virus (HIV) or people with acquired immunodeficiency syndrome (AIDS),

Acknowledging the significant role of the World Health Organization, within the framework of the global strategy for the prevention and control of AIDS, in combating discrimination against HIV-infected persons, including people with AIDS,

Taking note of the results of the International Consultation on AIDS and Human Rights organized by the Centre for Human Rights in cooperation with the World Health Organization at Geneva in July 1989, as well as those of other relevant consultations, conferences and meetings on this subject,

Recognizing that the challenges presented by HIV and AIDS require renewed efforts to ensure universal respect for, and observance of, the human rights and fundamental freedoms of all,

Concerned that the lack of full enjoyment of their fundamental rights by persons suffering from social disadvantage heightens their vulnerability to the risk of HIV infection, and that discrimination is counterproductive to AIDS control measures,

Emphasizing the need for Governments, in a spirit of solidarity, compassion and tolerance, to counter social stigmatization and discrimination against those affected by HIV and AIDS, their families and those with whom they live, and people considered to be at risk of infection,

1. Calls upon all States to take all the necessary steps to ensure the full enjoyment of civil, political, economic, social and cultural rights by people with HIV or AIDS, their families and those in any way associated with them and people presumed to be at risk of infection, paying particular attention to women, children and other vulnerable groups, in order to prevent discriminatory action against them or their social stigmatization, and to observe these obligations in particular in the context of AIDS policies and measures;

2. Invites the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and other similar bodies to give full attention to monitoring States parties' compliance with their commitments under the relevant human rights instruments regarding the rights of people infected with HIV or AIDS, their families and people with whom they live, or people presumed to be at risk of infection;

3. Welcomes the preliminary and progress reports of Mr. Luis Varela Quirós, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, on discrimination against HIV-infected people or people with AIDS (E/CN.4/Sub.2/1990/9 and E/CN.4/Sub.2/1991/10);

4. Endorses the requests of the Sub-Commission, in its decision 1991/109 of 29 August 1991, to Mr. Luis Varela Quirós to submit his final report to the Sub-Commission at its forty-fourth session, and to the Secretary-General to give the Special Rapporteur such assistance as he may require to accomplish his work.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XI.]

1992/57. Civil defence forces

The Commission on Human Rights,

Taking note with interest of the observations on the matter of civil defence forces, not belonging to the regular law enforcement agencies, in relation to the protection of human rights and fundamental freedoms contained in the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1992/18 and Corr.1),

Noting that the formation of civil defence forces appears to be on the rise worldwide, particularly in areas of conflict,

Recognizing, however, that action by civil defence forces has in some cases jeopardized the enjoyment of human rights and fundamental freedoms, Also recognizing that, under exceptional circumstances, when public forces are unable to act owing to the exigencies of situations, there may be a need for the establishment of civil defence forces to protect the civilian population,

Reaffirming the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and fundamental freedoms,

Realizing that the individual has a responsibility to strive for the promotion and observance of the rights recognized in the International Covenant on Civil and Political Rights, as well as in the International Covenant on Economic, Social and Cultural Rights,

1. Requests the Secretary-General to ask Governments and intergovernmental and non-governmental organizations for information on domestic law and practice relating to civil defence forces, if any, and for comments concerning the relationship between civil defence forces and human rights;

2. Also requests the Secretary-General to prepare, within the existing resources, and to submit to the Commission on Human Rights at its forty-ninth session a report containing a summary of the information and comments received;

3. Requests the special rapporteurs and working groups concerned to pay due attention within their mandates to the matter of civil defence forces in relation to the protection of human rights and fundamental freedoms.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XI.]

1992/58. Situation of human rights in Myanmar

The Commission on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Aware that, in accordance with the Charter, the United Nations promotes and encourages respect for human rights and fundamental freedoms for all, and that the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government", Noting with particular concern in this regard that the electoral process initiated in Myanmar by the general elections of 27 May 1990 has not yet reached its conclusion, that no apparent progress has been made in giving effect to the political will of the people of Myanmar, as expressed in the elections, and that the final results of the elections have not even been officially released,

Also noting that many political leaders, in particular elected representatives, remain deprived of their liberty and that Daw Aung San Suu Kyi, Nobel Peace Prize laureate, is still under house arrest and is deprived of visits from her family,

Noting with concern the seriousness of the situation of human rights in Myanmar, the existence of important restrictions on the exercise of fundamental freedoms and the imposition of oppressive measures directed, in particular, at minority groups,

Noting with deep concern the continuing exodus of Myanmar refugees to neighbouring countries, including, in recent months, of almost 80,000 Myanmar Muslim refugees to Bangladesh,

Having examined the report of the Working Group on Arbitrary Detention (E/CN.4/1992/20),

Recalling General Assembly resolution 46/132 of 17 December 1991 concerning the situation in Myanmar,

1. Deplores the fact that the Government of Myanmar, despite the assurances given at various times that it would take firm steps towards the establishment of a democratic State, has not to this day fulfilled those commitments;

2. Expresses its concern at the seriousness of the human rights situation in Myanmar and, in particular, at the fact that a number of political leaders, including Daw Aung San Suu Kyi and other leaders of the National League for Democracy, remain deprived of their liberty;

3. Decides to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar, and to report to the General Assembly at its forty-seventh session and to the Commission on Human Rights at its forty-ninth session;

4. Urges the Government of Myanmar to extend its full and unreserved cooperation to the Commission and the Special Rapporteur and, to this end, to ensure that the Special Rapporteur has free access to any person in Myanmar whom he deems it appropriate to meet in the performance of his mandate;

5. _Invites_ the Government of Myanmar to take every appropriate measure to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights, and to accelerate the process of transition to democracy, in particular through the convening of the Parliament elected in May 1990;

6. _Also invites_ the Government of Myanmar to lift the restraining orders placed on a number of political leaders, to release those who are detained and to ensure that political parties can function normally;

7. _Requests_ the Government of Myanmar to ensure that all persons are afforded the minimum guarantees for a fair trial, according to due process of law and in conformity with the applicable international standards;

8. _Calls upon_ the Government of Myanmar to create the necessary conditions that would end the exodus of Myanmar refugees to neighbouring countries as well as to facilitate their early repatriation from their countries of refuge;

9. _Calls upon_ the authorities of Myanmar to give particular attention to prison conditions in the country's jails and, in this respect, to allow the International Committee of the Red Cross to visit the country's prisons;

10. _Urges_ the Government of Myanmar to reopen the universities and other institutions of higher education;

11. _Decides_ to keep the matter under review at its forty-ninth session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XII.]

1992/59. _Cooperation with representatives of United Nations human rights bodies_

The Commission on Human Rights,

Reiterating its concern at the continued reports of intimidation and reprisal against private individuals and groups who seek to cooperate with the United Nations and representatives of its human rights bodies,

Also concerned at reports about incidents where private individuals have been hampered in their efforts to avail themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms, Recalling its resolutions 1990/76 of 7 March 1990 and 1991/70 of 6 March 1991 and taking note of the note by the Secretary-General on this question (E/CN.4/1992/29),

1. Urges Governments to refrain from all acts of intimidation or reprisal against:

(a) Those who seek to cooperate or have cooperated with representatives of United Nations human rights bodies, or who have provided testimony or information to them;

(b) Those who avail or have availed themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms and all those who have provided legal assistance to them for this purpose;

(c) Those who submit or have submitted communications under procedures established by human rights instruments;

(d) Those who are relatives of victims of human rights violations;

2. Requests all representatives of United Nations human rights bodies as well as treaty bodies monitoring the observance of human rights to continue to take urgent steps, in conformity with their mandates, to help prevent the hampering of access to United Nations human rights procedures in any way;

3. Also requests all representatives of United Nations human rights bodies, as well as treaty bodies monitoring the observance of human rights, to continue to take urgent steps, in conformity with their mandates, to help prevent the occurrence of such intimidation and reprisals;

4. Further requests such representatives and treaty-monitoring bodies to continue to include in their respective reports to the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities or the General Assembly a reference to allegations of intimidation or reprisal and of hampering access to United Nations human rights procedures, as well as an account of action taken by them in this regard;

5. Requests the Secretary-General to draw the attention of such representatives to the present resolution;

6. Invites the Secretary-General to submit to the Commission at its forth-ninth session a report containing any available information, from all appropriate sources, on alleged reprisals against those referred to in paragraph 1 of the present resolution;

7. Decides to consider the question again at its forty-ninth session.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XII.]

1992/60. Situation of human rights in Kuwait under Iraqi occupation

The Commission on Human Rights,

Recalling its resolution 1991/67 of 6 March 1991,

Recalling also General Assembly resolution 46/135 of 17 December 1991,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights, the Geneva Conventions of 12 August 1949, The Hague Convention IV of 1907, and other internationally recognized principles of humanitarian law,

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil their obligations under the relevant international instruments,

Expressing its deep concern at the grave violation of human rights and fundamental freedoms during the occupation of Kuwait,

Noting with grave concern the continued detention of prisoners of war and civilians abducted from Kuwait and the refusal of Iraq to account for the whereabouts of these detainees,

Noting also with grave concern the information to the effect that the treatment of prisoners of war and detained civilians does not conform to the internationally recognized principles of humanitarian law,

1. *Expresses its appreciation* to the Special Rapporteur on the situation of human rights in Kuwait under Iraqi occupation for his report (E/CN.4/1992/26);

2. *Expresses its deep concern* for Kuwaiti and third-country nationals detained and missing in Iraq;

3. *Strongly condemns* the failure of Iraq to treat all prisoners of war and detained civilians in accordance with the internationally recognized principles of humanitarian law and insists that it refrain from subjecting them to acts of violence, including ill-treatment, torture and summary execution;

4. *Requests* the Government of Iraq to provide full information on all Kuwaiti persons and third-country nationals abducted from Kuwait between 2 August 1990 and 26 February 1991 who may still be detained, and to free these persons without delay, in accordance with its obligations under article 118 of the Geneva Convention relative to Prisoners of War and article 134 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and its obligations under applicable Security Council resolutions;

5. *Also requests* the Government of Iraq to provide, in accordance with its obligations under articles 120 and 121 of the Geneva Convention relative to Prisoners of War, and articles 129 and 130 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, detailed information on persons arrested in Kuwait between 2 August 1990 and 26 February 1991 who may have died during or after that period while in detention, as well as on the location of their graves;

6. *Further requests* the Government of Iraq to search for the persons still missing and to cooperate fully with international humanitarian organizations such as the International Committee of the Red Cross, in this regard;

7. *Demands* that the Government of Iraq cooperate with and facilitate the work of international humanitarian organizations, notably the International Committee of the Red Cross, in their search for an eventual repatriation of Kuwaiti and third-country nationals detained and missing in Iraq.

52nd meeting
3 March 1992
[Adopted by a roll-call vote of 47 to 1,
with 1 abstention. See chap. XII.]

1992/61. *Situation of human rights in Cuba*

The Commission on Human Rights,

Recalling its resolution 1991/68 of 6 March 1991, in which it requested the Secretary-General to appoint a special representative to maintain direct contact with the Government and citizens of Cuba and, in accordance with its decision 1989/113 of 9 March 1989 and resolution 1990/48 of 6 March 1990, to report on the issues and questions contained in and associated with the report (E/CN.4/1989/46 and Corr.1) of the mission to Cuba which took place in accordance with its decision 1988/106 of 10 March 1988,

Recognizing with deep appreciation the efforts of the Secretary-General and his Special Representative to carry out this mandate, bearing in mind the Universal Declaration of Human Rights and in maintaining contact with the Government and citizens of Cuba concerning the unanswered issues and questions that the representatives of the Commission formulated to the Cuban authorities (E/CN.4/1989/46, annexes III, VII and XVI),

Disappointed that the Government of Cuba has failed to address the concerns of the Commission, as expressed in its decision 1989/113 and resolutions 1990/48 and 1991/68, and has not provided the Commission with a response to the unanswered questions put to the Cuban authorities by representatives of the Commission, Noting with deep regret the failure of the Government of Cuba to cooperate with the Commission by refusing, in spite of repeated requests, to permit the Special Representative to visit Cuba in order to fulfil the mandate entrusted to him,

Alarmed at continuing reports of human rights abuses in Cuba, including imprisonment, harassment and governmentally organized mob attacks on advocates of peaceful change, as well as the recent execution by firing squad of one individual after a trial which raised questions of due process and in spite of worldwide appeals for clemency,

Profoundly concerned at numerous uncontradicted reports of continued violations in Cuba of human rights as defined by the Universal Declaration of Human Rights in such areas as individual liberty, administration of justice, freedom of movement, freedom of religion, expression and the press, freedom of assembly and association and freedom of education and conscience,

Taking note of the report on the situation of human rights in Cuba prepared by the Special Representative of the Secretary-General (E/CN.4/1992/27),

1. Commends and endorses the report on the situation of human rights in Cuba prepared by the Special Representative of the Secretary-General;

2. Notes that the report is incomplete because the Special Representative was unable to meet with the people or the Government of Cuba;

3. Deplores the decision of the Government of Cuba not to give the Special Representative the opportunity to fulfil his mandate by meeting with the people of Cuba in Cuba and with the Government of Cuba, and expresses particular concern that the Government of Cuba, a member of the Commission on Human Rights, has failed to carry out its obligation, common to all Member States, to cooperate with the Commission;

4. Regrets profoundly the numerous uncontested reports of violations of basic human rights and fundamental freedoms that are described in the report of the Special Representative and expresses particular concern at governmentally organized mob action against human rights activists;

5. Calls upon the Government of Cuba to respect universally recognized standards of human rights and fundamental freedoms and to promote their exercise and enjoyment, and to end all such violations, including the detention and imprisonment of those who advocate peaceful change;

6. Requests the Chairman of the Commission at its forty-eighth session to designate the Special Representative appointed by the Secretary-General pursuant to its resolution 1991/68 as its Special Rapporteur to review and report on the situation of human rights in Cuba;

7. Requests the Special Rapporteur to maintain direct contact with the Government and citizens of Cuba, in accordance with Commission resolution 1991/68 and decision 1989/113, concerning the issues and questions contained in and associated with the report of the mission to Cuba as well as the report of the Special Representative;

8. Urges the Government of Cuba to cooperate with the Special Rapporteur;

9. Requests the Special Rapporteur to carry out his mandate, including the questions contained in his letter of 6 December 1991 (E/CN.4/1992/27, annex III and appendix), to the Cuban authorities, bearing in mind the Universal Declaration of Human Rights, and to report to the Commission at its forty-ninth session on the results of his endeavours pursuant to the present resolution under the same agenda item, and to submit an interim report to the General Assembly at its forty-seventh session.

52nd meeting
3 March 1992
[Adopted by a roll-call vote of 23 to 8, with 21 abstentions. See chap. XII.]

1992/62. Situation of human rights in El Salvador

The Commission on Human Rights,

Expressing its deep satisfaction at the signing of the Peace Agreements between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional in Mexico City on 16 January 1992, which means the end of the armed conflict and which lays the foundations for reconciliation within Salvadorian society,

Emphasizing that the Peace Agreements are an historic event of supreme importance to El Salvador, promoting the democratization of the country, guaranteeing unrestricted respect for human rights and reunifying Salvadorian society,

Observing that the Peace Agreements establish a precise timetable for the implementation of the agreements reached on the armed forces, the establishment of the National Civil Police, the reform of the judicial and electoral systems, and the political participation of the Frente Farabundo Martí para la Liberación Nacional and the reintegration of its members, within a framework of complete legality, into the civil and institutional life of the country, as well as for the economic and social agreements,

Aware of the importance of the work which the United Nations Observer Mission in El Salvador has been doing since 26 July 1991, on the instructions of the Secretary-General, to monitor respect for human rights in El Salvador, *Acknowledging* the value of the good offices provided by Mr. Javier Pérez de Cuéllar, former Secretary-General of the United Nations, and his Personal Representative for Central America in the negotiating process, which began in 1990 and culminated in the Peace Agreements,

Acknowledging also the resolute backing provided by Colombia, Mexico, Spain and Venezuela, the Group of Four Friends of the Secretary-General, in the search for peace in El Salvador,

Taking note with appreciation of the work done by the Special Representative of the Commission on Human Rights in fulfilment of his mandate,

Bearing in mind that it will be the responsibility of the Security Council and the Secretary-General to oversee all the Peace Agreements,

Aware that the international community must attentively follow and continue to support efforts to consolidate peace and ensure respect for human rights in El Salvador,

Welcoming the establishment of the Truth Commission, comprising three distinguished members appointed by the Secretary-General, whose findings should be known to all parties involved,

Bearing in mind that agreement was also reached on the establishment of the National Commission for the Consolidation of Peace, the Ad Hoc Commission and the important post of Attorney-General for the Protection of Human Rights, as machinery for supervising the implementation of the Peace Agreements and for promoting respect for human rights,

Considering that events since the signing of the Peace Agreements and the formal end to the armed confrontation on 1 February 1992 strengthen the peace effort and contribute to the establishment of a pattern of coexistence as part of the new situation now appearing in El Salvador,

Convinced that the troubling human rights situation in El Salvador could improve substantially if both parties abided faithfully by those Agreements,

Reaffirming that it is the responsibility of the Commission on Human Rights to pursue effective respect for human rights,

1. *Extends its thanks* to the Special Representative of the Commission on Human Rights for his final report on the situation of human rights in El Salvador during 1991 (E/CN.4/1992/32);

2. *Expresses its satisfaction* at the Agreements set forth in the Act of New York, signed on 31 December 1991, and the Chapultepec Peace Agreements of 16 January 1992, whereby the armed conflict was ended and the parties undertook to promote the democratization of the country, guarantee unrestricted respect for human rights and help to reunify Salvadorian society;

3. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to abide scrupulously by the agreements reached, so that complete and lasting reconciliation may be reached between all members of Salvadorian society as quickly as possible;

4. *Wholeheartedly endorses* the efforts being made by the Secretary-General through the United Nations Observer Mission in El Salvador, whose mandate is to monitor compliance with all the agreements reached by the parties during the negotiating process;

5. *Expresses its satisfaction* at the appointment of the Truth Commission, comprising persons of acknowledged standing in the defence and promotion of human rights, to shed light on the serious acts of violence that have occurred since 1980, whose impact on society requires public disclosure of the conditions and circumstances in which they were carried out;

6. *Welcomes* the fact that the National Commission for the Consolidation of Peace has already been set up, that the members of the Ad Hoc Commission have been appointed and that the Attorney-General for the Protection of Human Rights is about to be chosen;

7. *Encourages* the Government of El Salvador to press vigorously ahead with its reform of the judiciary, in particular the legal profession, in order to guarantee the people's right to justice;

8. Reiterates the need to continue the agrarian reform programme and to carry out other structural reforms permitting effective enjoyment of economic, social and cultural rights;

9. *Expresses its hope* that the implementation of the Peace Agreements will prevent the violations of human rights currently occurring in El Salvador;

10. *Urges* the international community to provide full cooperation for the reconstruction efforts in El Salvador;

11. *Requests* the Secretary-General to appoint an independent expert to provide assistance in human rights matters to the Government of El Salvador, consider the human rights situation in the country and the effects of the Peace Agreements on the effective enjoyment of human rights, and investigate the manner in which both parties apply the recommendations contained in the final report of the Special Representative and those made by the United Nations Observer Mission in El Salvador and the committees established during the negotiating process;

12. *Requests* the Independent Expert to report on the outcome of his inquiries to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session;

13. Decides, if there is a substantial improvement in the human rights situation in El Salvador during the current year, to consider that situation and the effect of the Peace Agreements on the effective enjoyment of human rights at its forty-ninth session under the agenda item entitled "Advisory services in the field of human rights" or otherwise, under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XII.]

1992/63. Human rights and mass exoduses

The Commission on Human Rights,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur on this subject (E/CN.4/1503) and also in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees (A/41/324, annex),

Recalling the recommendations concerning mass exoduses which it has made to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and to special rapporteurs when studying violations of human rights in any part of the world, and, in particular, the recommendation contained in its resolution 1985/40 of 13 March 1985 that special rapporteurs and special representatives studying situations of violations of human rights pay attention when appropriate to problems resulting in mass exoduses of populations,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own, and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

Stressing the need for international cooperation aimed at averting new massive flows of refugees in parallel with the provision of durable solutions to actual refugee situations, *Welcoming* the endorsement by the General Assembly, in its resolution 41/70 of 3 December 1986, of the recommendations and conclusions contained in the report (A/41/324, annex) of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, including, *inter alia*, the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language,

Recalling General Assembly resolution 44/164 of 15 December 1989, in which the Assembly reaffirmed its support for the recommendation of the Group of Governmental Experts that the principal organs of the United Nations should make fuller use of their respective competencies under the Charter of the United Nations for the prevention of new massive flows of refugees and displaced persons,

Recalling also its resolution 1991/73 of 6 March 1991 and its previous relevant resolutions, as well as those of the General Assembly,

Noting that the General Assembly, in its resolution 46/127 of 17 December 1991, especially encouraged the Secretary-General to implement the recommendations of the Joint Inspection Unit contained in its report on the coordination of activities related to early warning of possible refugee flows (A/45/649 and Corr. 1, annex) and invited bodies of the United Nations system to consider the most expedient ways and means of following up these recommendations,

Welcoming the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes,

Bearing in mind the statement made by the United Nations High Commissioner for Refugees at the 36th meeting of its forty-sixth session on 22 February 1990, which drew attention to the complexity of the global refugee problem, the need for a comprehensive approach addressing the concerns of all the different groups involved and the important role to be played in this regard by human rights institutions,

Recalling that the General Assembly, in its resolution 46/127, invited the Commission to keep the question of human rights and mass exoduses under review with a view to supporting the early-warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons,

1. *Invites again* all Governments and intergovernmental and humanitarian organizations concerned to intensify their cooperation and assistance in worldwide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

2. *Requests* all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights, as this would contribute to averting new massive flows of refugees and displaced persons;

3. *Calls upon* all States to refrain from measures which are seriously detrimental to the enjoyment by citizens of their basic rights and which cause nationals to flee their countries for their own protection, or cause them to be unable or unwilling for well-founded reasons to return there;

4. *Takes note* of the report of the Secretary-General on human rights and mass exoduses (A/46/542);

5. *Invites again* the Secretary-General, all intergovernmental agencies and offices, as well as international agencies concerned, speedily to implement the recommendations contained in the report of the Joint Inspection Unit on the coordination of activities related to early warning of possible refugee flows;

6. *Encourages* the Secretary-General to continue to take the necessary steps to discharge the function and responsibilities described in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, including the continuous monitoring of all potential outflows, keeping in mind the recommendations of the Joint Inspection Unit;

7. *Notes* that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between observance of human rights standards, refugee movements and problems of protection;

8. *Also notes* that at its forty-second session, from 7 to 11 October 1991, the Executive Committee of the Programme of the United Nations High Commissioner for Refugees called upon the High Commissioner to continue to contribute as appropriate to the deliberations of international human rights bodies;

9. *Welcomes* the statement made by the United Nations High Commissioner for Refugees at its 35th meeting on 20 February 1992, in which she indicated that human rights violations were a major cause of refugee flows and drew attention to the importance of strengthened multilateral cooperation and an effective early-warning system to respond to the challenge posed by mass movements of people;

10. *Invites* the United Nations High Commissioner for Refugees to address it at its forty-ninth session on the subject of human rights and mass exoduses;

11. *Invites* States which have not already done so to consider acceding to the 1951 Convention relating to the Status of Refugees and the Protocol thereto of 1967;

12. *Requests* the Secretary-General to intensify his efforts to develop the role of the Secretariat to strengthen the coordination of information-gathering and analysis with international organizations so as to provide early warning of developing situations requiring the attention of the Secretary-General, as well as to provide a focal point within the United Nations system for policy response, including identification of the policy options for the Secretary-General;

13. *Also requests* the Secretary-General to make the necessary information available to the competent United Nations organs bearing in mind the recommendations of the Joint Inspection Unit;

14. *Takes note* of General Assembly resolution 46/127, in which the Assembly noted that mass movements of populations were caused by multiple and complex factors, either man-made or natural, ranging from wars and armed conflicts, invasions and aggressions, violations of human rights, forcible expulsions, economic and social factors, natural disasters, to degradation in the environment, which indicates that early warning requires an intersectoral and multidisciplinary approach;

15. *Welcomes* the establishment of the position of Emergency Relief Coordinator (see General Assembly resolution 46/182, annex);

16. *Urges* the Secretary-General to attach a high priority and allocate the necessary resources to the consolidation and strengthening of the system for undertaking early-warning activities in the humanitarian area by, *inter alia*, strengthened coordination among relevant offices of the Secretariat concerned with early warning, including the office of the Emergency Relief Coordinator, and organizations of the United Nations system, and, in particular, the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights and the relevant specialized agencies, for the purpose of ensuring, *inter alia*, that effective action is taken to identify human rights abuses which contribute to mass outflows of persons;

17. *Welcomes* the establishment by the Administrative Committee on Coordination of the Ad Hoc Working Group on Early Warning regarding New Flows of Refugees and Displaced Persons with a mandate to develop an effective early-warning system related to possible flows of refugees and displaced persons, and the request of the General Assembly, in its resolution 46/127, that the Ad Hoc Working Group submit to the Administrative Committee on Coordination in 1992 its report on the early-warning mechanism to be established;

18. *Looks forward* to the report of the Secretary-General to the General Assembly at its forty-seventh session on the strengthened role that the Secretary-General is playing in undertaking early-warning activities, especially in the humanitarian area, as well as on any further developments relating to the recommendations contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees;

19. Decides to continue its consideration of the question at its forty-ninth session.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XII.]

1992/64. Situation of human rights in Romania

The Commission on Human Rights,

Guided by the principles embodied in the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reiterating that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the relevant international instruments,

Recalling its resolution 1991/69 of 6 March 1991,

Having considered the report of the Special Rapporteur, Mr. Joseph Voyame, and endorsing the conclusions and recommendations contained therein (E/CN.4/1992/28, sect. IV),

Welcoming the efforts of the Government of Romania during the past two years to promote respect for human rights and recent measures it has taken to that end,

Welcoming also the willingness of the Government of Romania to cooperate with the Commission on Human Rights, the Special Rapporteur and the Centre for Human Rights,

Recognizing the need to continue to promote a climate favourable to establishing a social order based on full respect for human rights and fundamental freedoms in Romania,

1. Takes note with appreciation of the report of the Special Rapporteur (E/CN.4/1992/28);

2. Expresses its gratitude to the Special Rapporteur for the report and for the manner in which he has discharged his mandate;

3. Welcomes the steps taken to establish in Romania a democratic and pluralist system of government based on respect for human rights and the rule of law;

4. Takes note of the fact that respect for human rights in general continues to improve in Romania, although considerable shortcomings remain to be overcome, as pointed out in the report of the Special Rapporteur,

inter alia, as regards the practical application of the new constitutional and legislative rules (para. 139), the independent and impartial functioning of the justice system (paras. 143 and 144) and the minority problem (paras. 153-160);

5. *Urges* the Government and authorities of Romania to continue their efforts to ensure respect for human rights in all their aspects in the country, both *de jure* and de facto, in particular by paying attention to the observations made by the Special Rapporteur and by implementing his recommendations;

6. *Takes note with appreciation* of the positive attitude of the Government of Romania and its declared readiness to continue to cooperate with the Commission on Human Rights;

7. *Welcomes* the close cooperation between the Government and authorities of Romania and the Centre for Human Rights in the field of advisory services;

8. *Welcomes also* the conclusion, on 23 September 1991, of an agreement between the Centre for Human Rights and the United Nations Fund for Advisory Services and Technical Assistance in the Field of Human Rights, on the one hand, and the Government of Romania, on the other, providing for publications, training, education, seminars, workshops, fellowships, advisory services of experts and support for national institutions to be given for a period of two to three years commencing 1 October 1991;

9. *Requests* the Secretary-General:

(a) To bring the present resolution to the attention of the Government of Romania and to invite it to provide information regarding its implementation;

(b) To report to the Commission at its forty-ninth session on the implementation of the present resolution, particularly on the measures referred to in paragraph 4, taking into account also information provided by intergovernmental as well as non-governmental organizations;

10. *Decides* to continue its consideration of the question in the light of the report of the Secretary-General to the Commission at its forty-ninth session.

52nd meeting
3 March 1992
[Adopted without a vote. See chap. XII.]

1992/65. Protection of Roma (gypsies)

The Commission on Human Rights,

Taking into account Sub-Commission on Prevention of Discrimination and Protection of Minorities resolutions 6 (XXX) of 31 August 1977 and 1991/21 of 28 August 1991,

Recalling General Assembly resolution 217 A (III) of 10 December 1948, by which it adopted the Universal Declaration of Human Rights, and its resolution 217 C (III) also of 10 December 1948, in which it considered that the United Nations could not remain indifferent to the fate of minorities,

Recalling also the International Convention on the Elimination of All Forms of Racial Discrimination and the principles contained therein,

Recalling further its resolutions 1990/13 of 23 February 1990 and 1990/45 and 1990/46 of 6 March 1990,

Bearing in mind General Assembly resolution 39/16 of 23 November 1984, in which the Assembly invited the Commission on Human Rights to continue exercising vigilance in identifying actual or emergent situations of racism or racial discrimination, to draw attention to them where discovered and to suggest appropriate remedial measures,

1. Requests the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities entrusted with preparing a study on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities, in carrying out his work, to accord special attention to and to provide information on the specific conditions in which the Roma (gypsies) live;

2. Invites States to adopt all appropriate measures in order to eliminate any form of discrimination against the Roma (gypsies);

3. Invites States who may wish to do so to avail themselves of the advisory services of the Centre for Human Rights for that purpose.

54th meeting
4 March 1992
[Adopted by 43 votes to none, with
8 abstentions. See chap. XVIII.]

1992/66. Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Taking note of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-third session (E/CN.4/1992/2), Expressing its appreciation for the positive contribution made by the Sub-Commission to the work of the Commission in the promotion and protection of human rights,

Recalling the terms of reference of the Sub-Commission as defined by the Commission and its particular responsibilities established, inter alia, in Commission resolutions 8 (XXIII) of 16 March 1967 and 17 (XXXVII) of 10 March 1981, Economic and Social Council resolutions 1235 (XLII) of 6 June 1967 and 1503 (XLVIII) of 27 May 1970 and the relevant resolutions of the General Assembly,

Recalling also its resolutions 1991/56 and 1991/81 of 6 March 1991, in which it provided certain guidelines for the work of the Sub-Commission, and Economic and Social Council resolution 1991/32 of 31 May 1991 on strengthening the independence of the experts members of the Sub-Commission,

Taking note of the report of the Chairman of the Sub-Commission on the work of its forty-third session (E/CN.4/1992/46), prepared in accordance with paragraph 20 of Commission resolution 1991/56 and the proposals contained therein,

Noting with appreciation the intensified dialogue between the Commission and the Sub-Commission through the mutual exchange of information by their respective chairpersons, in accordance with paragraphs 17 and 18 of Commission resolution 1990/64 of 7 March 1990,

Convinced of the need for a further strengthening of substantial and meaningful dialogue between the Commission and the Sub-Commission,

Also convinced that it is essential that the impartiality and objectivity of the Sub-Commission and the independent status of its members and their alternates should continue to be its guiding principles,

Further convinced that the credibility and effectiveness of the Sub-Commission as an expert human rights body are dependent on Governments nominating and the Commission electing as members and alternates of the Sub-Commission only individuals who possess genuine expertise in the field of human rights and who are able to act independently of their Governments,

Stressing the valuable role that the Sub-Commission, as a body of independent experts, can play, inter alia, in addressing new developments in the field of human rights and also in providing a forum for the contributions of non-governmental organizations in the field of new developments,

Mindful of the important contribution in general that non-governmental organizations in consultative status with the Economic and Social Council make to the work of the Sub-Commission, in conformity with the principles embodied in Council resolutions 1296 (XLIV) of 23 May 1968 and 1919 (LVIII) of 5 May 1975,

Welcoming the adoption of the report of the working group established by the Sub-Commission by its decision 1989/104 of 30 August 1989 on a better organization of the Sub-Commission's work and agenda (E/CN.4/Sub.2/1991/16),

Convinced that it is highly appropriate for the Commission to give considered attention to the work of the Sub-Commission and thereby maintain the effectiveness of both bodies in their respective roles,

Reaffirming that it remains important for the Commission to give guidance to the Sub-Commission, and for the Sub-Commission to follow that guidance, in order to ensure the complementarity of its activities with those of the Commission,

1. Reaffirms that the Sub-Commission on Prevention of Discrimination and Protection of Minorities can best assist the Commission on Human Rights by providing it with recommendations based on the different views and perspectives of independent experts, which should be appropriately reflected in the report of the Sub-Commission, as well as in the expert studies carried out under its auspices;

2. Calls upon the Sub-Commission, in the fulfilment of its functions and duties, to be guided by the relevant resolutions of the Commission and the Economic and Social Council;

3. Takes note of the steps taken so far by the Sub-Commission to rationalize and streamline its work and encourages the Sub-Commission to continue and to finalize its discussions on the best way to improve the efficiency of the debate, attaching high priority to those efforts;

4. Endorses the establishment by the Sub-Commission by its decision 1991/117 of 30 August 1991, on an exceptional basis, of an inter-sessional working group on the rationalization of the work and the agenda of the Sub-Commission;

5. Recommends that that inter-sessional working group be composed of one representative of each regional group;

6. Requests the inter-sessional working group to prepare a list of specific proposals in draft decision format, for examination by all the experts of the Sub-Commission and adoption by the Sub-Commission at its forty-fourth session, a list which takes into consideration the proposals and recommendations studied by the Sub-Commission at its forty-third session, and in particular by its ad hoc sessional working group, established by its decision 1989/104;

7. Invites, therefore, the inter-sessional working group, taking into consideration the report of the Chairman of the Sub-Commission on the work of its forty-third session (E/CN.4/1992/46), to make recommendations on the following points:

(a) Initiatives for a better coordination with the Commission on Human Rights and the other competent organs of the United Nations acting in the field of human rights;

(b) Strengthening the independence of its experts;

(c) Initiatives aimed at improving the working methods of the Sub-Commission, particularly concerning:

(i) The allocation of speaking time among the experts;

(ii) The preliminary assessment, the preparation and the time-frame for the completion of studies and reports, as well as the elaboration of an updated list of studies, and the setting-out of priorities, as appropriate;

(iii) The designation of the rapporteurs, the allocation of the reports among the experts, including the question of former members of the Sub-Commission serving as rapporteurs, and the role of alternate members;

(iv) The designation of commentators for each study from among its members, in order to facilitate an in-depth discussion of the studies and reports of the Sub-Commission;

(v) The elaboration of a procedure to evaluate and monitor the implementation of the recommendations contained in the studies and reports;

(d) Proposals concerning the format, the adoption and the number of the resolutions;

(e) Proposals concerning the rationalization of the agenda;

(f) Initiatives which would facilitate the widest possible dissemination of the findings of the Sub-Commission, such as the preparation of a two-page summary for each study, the purpose being that the summaries of a session be published separately in various languages, thus contributing to better publicity for the studies;

8. Reaffirms that one of the tasks of the Sub-Commission is a thorough examination of information concerning alleged human rights violations, as well as the presentation of the research and the results of the examination to the Commission;

9. Requests the Sub-Commission to restrict its requests to the Secretary-General to ask Governments, intergovernmental organizations, the specialized agencies and other such bodies for their views and comments to requests relating to those studies that have received prior explicit approval from the Commission;

10. Invites the Sub-Commission to continue to give due regard to new developments in the field of human rights;

11. Calls upon States to nominate as members and alternates persons meeting the criteria of independent experts, who should discharge in that capacity their functions as members of the Sub-Commission, and to respect fully the independence of elected members;

12. Requests the Secretary-General to continue to give strong support to the Sub-Commission and, in particular, to ensure that Sub-Commission documents are available in all languages in good time before the session;

13. Invites the Chairman of the Commission to inform the Sub-Commission on the debate under this item;

14. Decides to invite the Chairman of the Sub-Commission at its forty-third session to come for consultations with the members of the Bureau of the Commission at an appropriate time during the meeting of the Bureau of the Commission at the conclusion of its forty-eighth session and the Chairman of the Sub-Commission at its forty-fourth session to report to the Commission at its forty-ninth session on the implementation, by the Sub-Commission, of the initiatives recommended in the present resolution.

54th meeting
4 March 1992
[Adopted by 40 votes to none, with
11 abstentions. See chap. XVII.]

1992/67. Situation of human rights in the Islamic Republic of Iran

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in the field, Recalling its pertinent resolutions, including its most recent resolution, 1991/82 of 7 March 1991, as well as those of the General Assembly, including its most recent resolution, 45/173 of 18 December 1990, and those of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, including its most recent resolution, 1991/9 of 23 August 1991,

Welcoming the cooperation extended by the Government of the Islamic Republic of Iran to the Special Representative of the Commission regarding his recent visit to that country,

Welcoming also the fact that the International Committee of the Red Cross has finally been enabled by the Government of the Islamic Republic of Iran to pay visits to prisons in that country in accordance with the established criteria of the International Committee,

Recalling that in its resolution 1991/82 it requested the Special Representative to submit a report, to be considered by the Commission at its forty-eighth session, on progress with regard to his recommendations,

Noting the Special Representative's assessments of the performance of the Islamic Republic of Iran regarding his various recommendations and his conclusion that during 1991 no appreciable progress occurred in the Islamic Republic of Iran towards improved compliance with human rights in accordance with the current international instruments (see E/CN.4/1992/34, para. 474),

Noting that the Sub-Commission, in its resolution 1991/9, expressed deep concern at the escalating grave violations of human rights in the Islamic Republic of Iran,

1. Takes note with appreciation of the report of the Special Representative of the Commission (E/CN.4/1992/34)and the observations contained therein;

2. Expresses its deep concern at continuing reports of violations of human rights in the Islamic Republic of Iran;

3. Expresses its concern more specifically at the main weaknesses, according to the Special Representative, of the human rights situation in the Islamic Republic of Iran, namely, the lack of guarantees of due process of law, discriminatory treatment of certain groups of citizens for reason of their religous beliefs, notably the Baha'is, the lack of independent associations and the absence of a climate of legal security and guarantees for the freedom of expression and literary and artistic creativity;

4. Expresses its grave concern at the fact that, contrary to the Special Representative's recommendation, the application of the death penalty has not diminished, but increased;

5. *Welcomes* the fact that the Government of the Islamic Republic of Iran has permitted the Special Representative to visit the country and has continued to reply to allegations of human rights violations transmitted to it by the Special Representative;

6. *Expresses its regret* that, as the Special Representative concluded, the Islamic Republic of Iran has not given adequate follow-up to many of the recommendations contained in the previous reports;

7. *Calls upon* the Government of the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative in his observations, in particular as regards the administration of justice and due process of law;

8. *Also calls upon* the Government of the Islamic Republic of Iran to comply with international instruments on human rights, in particular the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a party, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in these instruments;

9. *Encourages* the Government of the Islamic Republic of Iran to continue to cooperate with the International Committee of the Red Cross;

10. *Endorses* the view of the Special Representative that the international monitoring of the human rights situation in the Islamic Republic of Iran should be continued;

11. *Decides* to extend the mandate of the Special Representative, as contained in Commission resolution 1984/54 of 14 March 1984, for a further year;

12. *Encourages* the Government of the Islamic Republic of Iran to continue to cooperate with the Special Representative;

13. *Requests* the Special Representative to submit an interim report to the General Assembly at its forty-seventh session on the human rights situation in the Islamic Republic of Iran and a final report to the Commission at its forty-ninth session;

14. *Requests* the Secretary-General to give all necessary assistance to the Special Representative;

15. *Decides* to continue its consideration of the situation of human rights and fundamental freedoms in the Islamic Republic of Iran, as a matter of priority, at its forty-ninth session.

54th meeting
4 March 1992
[Adopted by a roll-call vote of 22 to 12,
with 15 abstentions. See chap. XII.]

1992/68. Situation of human rights in Afghanistan

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977,

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan, with a view to formulating proposals that could contribute to ensuring full protection of the human rights of the inhabitants of the country before, during and after the withdrawal of all foreign forces,

Recalling also its relevant resolutions, as well as the resolutions of the General Assembly and the decisions of the Economic and Social Council,

Bearing in mind, in particular, its resolution 1991/78 of 6 March 1991, by which it decided to extend the mandate of the Special Rapporteur on the situation of human rights in Afghanistan for one year and to request him to report to the General Assembly at its forty-sixth session and to the Commission at its forty-eighth session, and of Economic and Social Council decision 1991/259 of 31 May 1991, in which the Council approved the Commission's decision,

Emphasizing the relevance and validity for all parties concerned of the Agreements on the Settlement of the Situation relating to Afghanistan, concluded at Geneva on 14 April 1988 (S/19835, annex I), which constitute an important step towards a comprehensive political solution,

Underlining the importance of the statement made by the Secretary-General on 21 May 1991 (A/46/577-S/23146 and Corr.1, annex), in which he provided a five-point peace plan to serve as the basis for a comprehensive political settlement in Afghanistan, acceptable to the majority of the Afghan people, and the Secretary-General's latest initiative contained in document A/46/577-S/23146 and Corr.1 of 17 October 1991,

Noting with satisfaction the joint statement of the United States of America and the Union of Soviet Socialist Republics of 13 September 1991 on the simultaneous cut-off of weapons deliveries to the Afghan parties by 1 January 1992, and expressing the hope that such agreement will be implemented on a broader basis,

Noting also with satisfaction the "joint statement by the Soviet Union, the Russian Federation and the Afghan mujahidin", issued in Moscow on 14 November 1991,

Noting with deep concern that a situation of armed conflict continues to exist in Afghanistan, that acts of terrorism are still being perpetrated against the civilian population, that the treatment of prisoners detained in connection with the conflict often does not conform to the humanitarian rules set out in the Geneva Conventions of 12 August 1949, and the Additional Protocols thereto of 1977,

Deeply concerned that more than five million refugees are still living outside Afghanistan, that many Afghans are displaced within the country and that, despite a slight improvement of the conditions for the return of refugees, no massive return has been reported,

Aware that the reasons given by the refugees for not returning to Afghanistan, pending the achievement of a comprehensive political solution and the establishment of a broad-based government, include the continued fighting in some provinces, the use of very destructive arms in the conflict, the minefields that have been laid in many parts of the country, the lack of an effective authority in many areas, the destruction of the economy and other obstacles that would be encountered by refugees in returning to Afghanistan,

Commending the activity carried out by the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross in cooperation with the Afghan authorities, as well as non-governmental organizations, in favour of the people of Afghanistan,

Taking note with appreciation of the report of the Special Rapporteur on the situation of human rights in Afghanistan (E/CN.4/1992/33) and of the conclusions and recommendations contained therein,

1. Welcomes the cooperation of the Afghan authorities with the Special Rapporteur on the situation of human rights in Afghanistan;

2. Also welcomes the cooperation that the Afghan authorities have extended, in particular to the Coordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and to international organizations, such as the specialized agencies, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross;

3. Further welcomes the steps undertaken by the Afghan authorities to reform the judicial system in order to make it conform to international standards, and encourages them to undertake any further steps to guarantee fair trials;

4. Urges all parties concerned to increase their efforts in order to achieve a comprehensive political solution - which they recognize is the only way to bring about peace and the full restoration of human rights in Afghanistan - based on the points contained in the plan provided by the Secretary-General on 21 May 1991 regarding the free exercise of the right to self determination by the people, including free and fair elections, the cessation of hostilities and the creation of conditions that will permit the free return of refugees to their homeland in safety and dignity, whenever they wish, and the full enjoyment of human rights and fundamental freedoms by all Afghans and also based on the Secretary-General's latest initiative contained in document A/46/577-S/23146 and Corr.1, which elaborates upon these points;

5. Recognizes that the promotion and protection of human rights should be an essential element in a solution to the conflict and calls on all parties to the conflict to respect human rights;

6. Urges all parties to the conflict to respect accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977, to halt the use of weapons against the civilian population, to protect all prisoners from acts of reprisal and violence, including ill-treatment, torture and summary executions, to transmit to the International Committee of the Red Cross the names of all prisoners, to expedite the exchange of prisoners wherever they may be held and to grant to that Committee unrestricted access to all parts of the country and the right to visit all prisoners in accordance with its established criteria;

7. Welcomes the release by the Afghan authorities of a large number of prisoners, as a result of amnesty decrees;

8. Calls upon all States and parties concerned to make all possible efforts for the release, as soon as possible, of all prisoners of war detained as a result of the conflict;

9. Calls, in particular, for the immediate release of former Soviet prisoners of war, as provided by article 118 of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949, considering that the hostilities in which the former Soviet Union was involved have legally and effectively ended;

10. Welcomes the release in January 1992 of a large number of prisoners of war captured at Khost by the opposition forces;

11. Welcomes the release by the opposition forces of three Soviet prisoners of war in February 1992, and encourages them to further continue to release all of them;

12. Also welcomes the decision of the Afghan authorities to allow the International Committee of the Red Cross full access to Afghan prisons;

13. Requests that the International Committee of the Red Cross be given full access to the prisoners of war held by the opposition forces;

14. Calls upon all conflicting parties to investigate thoroughly the fate of those persons who have disappeared, to apply amnesty decrees equally to foreign detainees, to reduce the period during which prisoners await trial, to treat all prisoners, especially those awaiting trial or those in custody in juvenile rehabilitation centres, in accordance with the Standard Minimum Rules for the Treatment of Prisoners, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and to apply to all convicted persons article 14, paragraphs 3 (d) and 5 of the International Covenant on Civil and Political Rights;

15. Notes improvements in the treatment of prisoners and urges all the parties to the conflict to conform fully to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977;

16. Notes with concern the allegations of atrocities still being committed against Afghan soldiers, civil servants and captured civilians;

17. Requests the Afghan authorities to take the proper steps in order to permit activity by the political opponents, and appeals to all conflicting parties to act likewise;

18. Welcomes the decision of the Afghan authorities to commute the death sentences which were imposed on the persons allegedly involved in the attempted *coup d'état* of March 1990, in conformity with General Assembly resolution 46/136 of 17 December 1991;

19. Expresses its concern at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

20. Urgently appeals to all Member States, humanitarian organizations and all parties concerned to cooperate fully, especially on the subject of mine detection and clearance, in order to facilitate the return of refugees and displaced persons to their homes in safety and dignity, in conformity with the Agreements on the Settlement of the Situation relating to Afghanistan;

21. Also urgently appeals to all Member States and humanitarian organizations to continue to promote the implementation of the projects envisaged by the Coordinator for Humanitarian and Economic Assistance Programmes relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot projects for the repatriation of refugees;

22. Urges all parties concerned to undertake all necessary measures to ensure the safety of the personnel of humanitarian organizations involved in

the implementation of United Nations humanitarian and economic assistance programmes relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees;

23. Also urges all parties concerned to extend their full cooperation to the Commission on Human Rights and its Special Rapporteur;

24. Decides to extend the mandate of the Special Rapporteur for one year and to request him to report on the situation of human rights in Afghanistan to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session;

25. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

26. Decides to continue its consideration of the human rights situation in Afghanistan at its forty-ninth session, as a matter of high priority, under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

54th meeting
4 March 1992
[Adopted without a vote. See chap. XII.]

1992/69. Situation of human rights in Albania

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the human rights situation in Albania has been under consideration by the Commission since 1984 under the confidential procedure governed by Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970,

Bearing in mind that, in its resolution 1988/17 of 2 March 1988, the Commission, acting under paragraph 8 of Council resolution 1503 (XLVIII), decided to discontinue consideration of the human rights situation in Albania under the confidential procedure and to take up consideration of the matter under the public procedure provided for in Council resolution 1235 (XLII) of 6 June 1967,

Bearing in mind also Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1988/15 of 1 September 1988, Recalling its own resolutions 1989/69 of 8 March 1989, 1990/49 of 6 March 1990 and 1991/76 of 6 March 1991,

Taking note of the report of the Secretary-General (E/CN.4/1992/35) submitted pursuant to Commission resolution 1991/76,

Welcoming the fact that positive steps have been taken by the Government of Albania to guarantee and promote the observance of human rights in Albania,

Welcoming also the willingness of the Government of Albania to cooperate with the Commission on Human Rights and the Centre for Human Rights,

Considering, however, that certain aspects of the human rights situation in Albania, in spite of positive developments, remain a cause for concern,

1. Calls upon the Government of Albania to continue to adopt legislative and administrative measures to meet the requirements under the International Bill of Human Rights and other relevant international instruments, by which freedom, democracy and the rule of law will be established and the human rights and fundamental freedoms of all Albanian citizens will be effectively promoted and protected;

2. Also calls upon the Government of Albania to respect the rights of persons belonging to minorities living in the country;

3. Emphasizes the need to guarantee the free expression of the will of the electors in the forthcoming elections and, in particular, the right of all Albanian citizens to form their own political parties, to stand for election and to vote;

4. Welcomes the conclusion, on 13 February 1992, of the Agreement on technical cooperation between the Centre for Human Rights and the United Nations Fund for Advisory Services and Technical Assistance in the field of Human Rights, on the one hand, and the Government of Albania, on the other;

5. Requests the Secretary-General:

(a) To bring the present resolution to the attention of the Government of Albania and to invite it to provide information regarding its implementation;

(b) To report to the Commission at its forty-ninth session on the implementation of the present resolution;

6. Decides to continue its consideration of the question at its forty-ninth session.

54th meeting
4 March 1992
[Adopted without a vote. See chap. XII.]

1992/70. Situation of human rights in southern Lebanon

The Commission on Human Rights,

Gravely concerned by the persisting practices of the Israeli occupation forces in southern Lebanon, which constitute a violation of the principles of international law regarding the protection of human rights, in particular the Universal Declaration of Human Rights, as well as a grave violation of the relevant provisions of international humanitarian law as contained in the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and The Hague Convention IV of 1907,

Recalling its deep regret at the failure of Israel to implement Security Council resolutions 425 (1978) of 19 March 1978 and 509 (1982) of 6 June 1982,

Reaffirming that the continued occupation and the practices of the Israeli forces constitute a violation of the resolutions of the Security Council, as well as of the will of the international community and the conventions in force in this respect,

Welcoming the ongoing peace negotiation process aimed at settling the Middle East conflict through the achievement of a just, global and lasting peace in the region, and affirming that the continued violation of human rights by Israel impedes the steps and efforts being undertaken to achieve peace in the Middle East,

Gravely concerned at the hampering of the International Committee of the Red Cross and other humanitarian organizations in accomplishing their humanitarian mission in the occupied area of southern Lebanon, in particular to ascertain the truth of reports of ill-treatment of detainees in the detention centres of Khiam and Marjeyoun,

Reaffirming its resolution 1991/66 of 6 March 1991, and expressing its deep regret at the failure of Israel to implement this resolution,

1. Condemns the continued Israeli violations of human rights in southern Lebanon, manifested particularly by the arbitrary detention of the civilian population, the destruction of their homes, the confiscation of their property, their expulsion from the occupied area, the bombardment of villages and civilian areas, and other practices violating human rights;

2. Calls upon Israel to put an immediate end to such practices and to implement the above-mentioned resolutions of the Security Council which require the immediate, total and unconditional withdrawal of Israel from all Lebanese territory and respect for the sovereignty, independence and territorial integrity of Lebanon;

3. Also calls upon the Government of Israel, the occupying Power in southern Lebanon, to comply with the Geneva Conventions of 1949, specifically the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

4. Further calls upon the Government of Israel, the occupying Power in southern Lebanon, to facilitate the humanitarian mission of the International Committee of the Red Cross and other humanitarian organizations in that region and, in particular, to allow these organizations to visit the detention centres of Khiam and Marjeyoun and to ascertain the conditions of detainees;

5. Requests the Secretary-General:

(a) To bring the present resolution to the attention of the Government of Israel and to invite it to provide information concerning the extent of its implementation thereof;

(b) To report to the General Assembly at its forty-seventh session and to the Commission on Human Rights at its forty-ninth session on the results of his efforts in that regard;

6. Decides to continue its consideration of the question at its forty-ninth session.

54th meeting
4 March 1992
[Adopted by a roll-call vote of 49 to 1,
with 1 abstention. See chap. XII.]

1992/71. Situation of human rights in Iraq

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights and to other human rights instruments,

Recalling Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian population and insisted that Iraq cooperate with humanitarian organizations to ensure that the human and political rights of all Iraqi citizens were respected,

Recalling also Security Council resolutions 706 (1991) of 15 August 1991 and 712 (1991) of 19 September 1991, Recalling further its resolution 1991/74 of 6 March 1991, in which it requested its Chairman to appoint a special rapporteur to make a thorough study of the violations of human rights by the Government of Iraq, based on all information the Special Rapporteur might deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq, and to submit an interim report thereon to the General Assembly at its forty-sixth session and a report to the Commission at its forty-eighth session,

Recalling General Assembly resolution 46/134 of 17 December 1991, in which the Assembly expressed its deep concern at the flagrant violations of human rights by the Government of Iraq and decided to continue the examination of the situation of human rights in Iraq at its forty-seventh session in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council,

Deeply concerned at the massive and grave violations of human rights by the Government of Iraq, such as summary and arbitrary executions, torture and other cruel, inhuman or degrading treatment, enforced or involuntary disappearances, arbitrary arrest and detention, lack of due process and the rule of law and of freedom of thought, of expression, of association and of access to food and health care, hostage-taking and the use of persons as "human shields",

Deeply concerned also at the fact that chemical weapons have been used on the Iraqi civilian population, at the forced displacement of hundreds of thousands of Kurds and at the destruction of Iraqi towns and villages, as well as at the fact that tens of thousands of displaced Kurds have to take refuge in camps and shelters in the north of Iraq and at the deportation of thousands of Kurdish families,

Deeply concerned further at the repressive measures taken by the Government of Iraq against the Shiah communities in Iraq, in particular those in the southern marshes,

Noting that, despite the formal cooperation extended to the Special Rapporteur by the Government of Iraq, this cooperation needs to be improved, in particular by giving full replies to the Special Rapporteur's inquiries about acts being committed by the Government of Iraq that are incompatible with international human rights instruments that are binding on that country,

1. Takes note with appreciation of the report on the situation of human rights in Iraq submitted by the Special Rapporteur (E/CN.4/1992/31) and the conclusions and recommendations contained therein;

2. Expresses its strong condemnation of the massive violations of human rights, of the gravest nature, for which the Government of Iraq is responsible, in particular:

(a) Summary and arbitrary executions, orchestrated mass executions and burials, extrajudicial killings, including political killings, in particular in the northern region of Iraq, in southern Shiah centres and in the southern marshes;

(b) Widespread routine practice of systematic torture in its most cruel forms, including the torture of children;

(c) Enforced or involuntary disappearances, routinely practised arbitrary arrest and detention, including of women and children, consistent and routine failure to respect due process and the rule of law;

(d) Hostage-taking and the use of persons as "human shields", a most grave and blatant violation of Iraq's obligations under international law;

(e) Suppression of freedom of thought, expression and association, violations of property rights;

3. Deplores the fact that the Government of Iraq has failed to comply with the terms of Security Council resolutions 706 (1991) and 712 (1991), and has thereby failed to provide the Iraqi population with access to adequate food and health care;

4. Calls upon the Government of Iraq to release immediately all persons arbitrarily arrested and detained, including Kuwaitis and nationals of other States;

5. Expresses its particular concern at the fact that the Special Rapporteur could find no reliable indication that the Government of Iraq has taken steps to ensure that there will be no further violations of human rights and concluded furthermore that meaningful improvement in the human rights situation in Iraq requires drastic changes in the conduct of government;

6. Calls once again upon the Government of Iraq, as a State party to the International Covenant on Economic, Social and Cultural Rights, as well as to the International Covenant on Civil and Political Rights, to abide by its freely undertaken obligations under these Covenants and under other international instruments on human rights, and particularly to respect and ensure the rights of all individuals irrespective of their origin within its territory and subject to its jurisdiction;

7. Expresses its special alarm at the repressive policies and practices directed against the Kurds which resulted in the extermination of a part of this population and which continue to have an impact on the lives of the Iraqi people as a whole;

8. Expresses its deep concern at the repressive measures taken by the Government of Iraq against the Shiah communities, in particular the suppression of Shiah religious and cultural rights;

9. *Strongly deplores* the exceptionally grave human rights violations by the Government of Iraq in recent years, which in the Special Rapporteur's view demand an exceptional response in the form of sending to Iraq a team of human rights monitors;

10. *Requests*, therefore, the Special Rapporteur, in consultation with the Secretary-General, to develop further his recommendation for an exceptional response and to report thereon to the General Assembly at its forty-seventh session;

11. *Urges* the Government of Iraq to set up an independent commission of inquiry to look into the fate of tens of thousands of disappeared persons;

12. *Regrets* the failure of the Government of Iraq to provide satisfactory replies concerning the violations of human rights brought to the attention of the Special Rapporteur, and calls upon the Government to reply without delay in a comprehensive and detailed manner so as to enable the Special Rapporteur to formulate the appropriate recommendations to improve the human rights situation in Iraq;

13. *Decides* to extend the mandate of the Special Rapporteur for a further year as contained in Commission resolution 1991/74 and requests the Special Rapporteur in pursuing his mandate to visit again the northern area of Iraq, in particular;

14. *Urges*, therefore, the Government of Iraq to accord its full cooperation to the Special Rapporteur of the Commission on Human Rights, notably during his next visit to Iraq;

15. *Requests* the Special Rapporteur to submit an interim report on the human rights situation in Iraq to the General Assembly at its forty-seventh session and a final report to the Commission at its forty-ninth session;

16. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary assistance in performing his task.

17. *Decides* to continue its consideration of the situation of human rights in Iraq, under the present agenda item, at its forty-ninth session.

55th meeting
5 March 1992
[Adopted by 35 votes to 1, with
16 abstentions. See chap. XII.]

1992/72. *Extrajudicial, summary or arbitrary executions*

The Commission on Human Rights,

Recalling the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, *Having regard* to the provisions of the International Covenant on Civil and Political Rights, in which it is stated that every human being has the inherent right to life, that this right shall be protected by law, and that no one shall be arbitrarily deprived of his or her life,

Recalling General Assembly resolution 34/175 of 17 December 1979, in which the Assembly reaffirmed that mass and flagrant violations of human rights were of special concern to the United Nations and urged the Commission on Human Rights to take timely and effective action in existing and future cases of mass and flagrant violations of human rights,

Mindful of General Assembly resolutions 36/22 of 9 November 1981, 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986, 42/141 of 7 December 1987, 43/151 of 8 December 1988, 44/159 of 15 December 1989 and 45/162 of 18 December 1990,

Taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities, resolution 1982/13 of 7 September 1982, in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

Recalling the other standards which form the legal justification of the mandate of the Special Rapporteur, including Economic and Social Council resolutions 663 C (XXIV) of 31 July 1957, in which the Council approved the Standard Minimum Rules for the Treatment of Prisoners, and 2076 (LXII) of 13 May 1977, General Assembly resolution 3452 (XXX) of 9 December 1975, in which the Assembly adopted the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, General Assembly resolution 34/169 of 17 December 1979, in which the Assembly adopted the Code of Conduct for Law Enforcement Officials, Economic and Social Council resolution 1984/50 of 25 May 1984, in which the Council approved the Safeguards guaranteeing protection of the rights of those facing the death penalty, General Assembly resolution 39/46 of 10 December 1984, in which the Assembly adopted the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, General Assembly resolution 43/173 of 9 December 1988, in which the Assembly adopted the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Economic and Social Council resolution 1989/64 of 24 May 1989 on the implementation of the Safeguards guaranteeing protection of the rights of those facing the death penalty, Economic and Social Council resolution 1989/65 of 24 May 1989, in which the Council adopted the Principles on the Effective Prevention and Investigation of Extra-legal Arbitrary and Summary Executions, and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana, from 27 August to 7 September 1990,

Welcoming the close cooperation established between the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the

Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee on Crime Prevention and Control with regard to questions relating to extrajudicial, summary or arbitrary executions,

Deeply alarmed at the occurrence, on a large scale, of extrajudicial, summary or arbitrary executions,

Welcoming the attention given by the Special Rapporteur in his report (E/CN.4/1992/30 and Corr.1 and Add.1) to the problem of situations of internal violence, disturbances, tensions and public emergency, in view of the needless loss of life consequent upon the level of violence in such situations,

Convinced of the need for appropriate action to combat and eventually to eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represents a flagrant violation of the most fundamental right, the right to life,

1. *Strongly condemns, once again*, the large number of extrajudicial, summary or arbitrary executions which continue to take place throughout the world;

2. *Appeals urgently* to Governments, United Nations bodies and organs, the specialized agencies, intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate the phenomenon of extrajudicial, summary or arbitrary executions;

3. *Takes note with appreciation* of the report of the Special Rapporteur and welcomes his recommendations with a view to eliminating extrajudicial, summary or arbitrary executions (E/CN.4/1992/30 and Corr.1, paras. 648-653);

4. *Takes note with regret* of the impending resignation of Mr. S. Amos Wako as Special Rapporteur and expresses its gratitude to him for the manner in which he has discharged his functions;

5. *Requests* the Chairman of the Commission, after consultations within the Bureau, to appoint an individual of recognized international standing as a special rapporteur;

6. *Decides* that the mandate of the Special Rapporteur shall be three years, while maintaining the annual reporting cycle, in order to enable the Special Rapporteur to submit further conclusions and recommendations to the Commission;

7. *Requests* the Special Rapporteur, in carrying out the mandate, to continue to examine situations of extrajudicial, summary or arbitrary executions;

8. *Also requests* the Special Rapporteur in his next report to pay special attention to extrajudicial, summary and arbitrary executions of children;

9. Further requests the Special Rapporteur, in carrying out the mandate, to respond effectively to information which comes before him, in particular when an extrajudicial, summary or arbitrary execution is imminent or threatened or when such an execution has occurred;

10. Encourages Governments, United Nations bodies and organs, the specialized agencies, intergovernmental organizations and non-governmental organizations to initiate, coordinate or support programmes designed to train and educate law enforcement officers and government officials on human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

11. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur;

12. Also requests the Secretary-General to consider ways of publicizing, particularly within the framework of the information activities of the Centre for Human Rights, the work of the Special Rapporteur, as well as recommendations made by him;

13. Urges all Governments, in particular those which consistently have not responded to communications transmitted to them by the Special Rapporteur, and all others concerned, to cooperate with and assist the Special Rapporteur so that the mandate may be carried out effectively;

14. Requests the Special Rapporteur to enhance his dialogue with Governments by following up on communications dispatched to Governments transmitting allegations of extrajudicial, summary or arbitrary executions and allegations of imminent or threatened executions, as well as by following up on recommendations made in his reports on on-site visits to particular countries;

15. Requests the Secretary-General, in this connection, to strengthen the human and material resources placed at the disposal of the Special Rapporteur;

16. Urges Governments to undertake all necessary and possible measures to lower the level of violence and the needless loss of life consequent thereupon during situations of internal violence, disturbances, tensions and public emergency;

17. Expresses its profound thanks to those Governments that have invited the Special Rapporteur to visit their countries, asks them to examine carefully the recommendations made by the Special Rapporteur and invites them to report to the Special Rapporteur on action taken on these recommendations;

18. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided

for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appears not to be respected;

19. Decides to consider the question of extrajudicial, summary or arbitrary executions as a matter of high priority at its forty-ninth session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

55th meeting
5 March 1992
[Adopted without a vote. See chap. XII.]

1992/73. Internally displaced persons

The Commission on Human Rights,

Mindful of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Recalling the relevant norms of international human rights instruments as well as of international humanitarian law,

Deeply disturbed by the serious problem that the large number of internally displaced persons throughout the world and their suffering is creating for the international community,

Recognizing that internally displaced persons are in need of relief assistance and of protection,

Conscious of the human rights dimensions of internally displaced persons,

Recalling its resolution 1991/25 of 5 March 1991, in which it requested the Secretary-General to submit an analytical report on internally displaced persons, taking into account the protection of human rights of internally displaced persons, based on information submitted by Governments, the specialized agencies, relevant United Nations organs, regional and intergovernmental organizations, the International Committee of the Red Cross and non-governmental organizations,

1. Takes note of the analytical report of the Secretary-General on internally displaced persons (E/CN.4/1992/23);

2. Requests the Secretary-General to designate a representative to seek again views and information from all Governments on the human rights issues related to internally displaced persons, including an examination of existing international human rights, humanitarian and refugee law and standards and their applicability to the protection of and relief assistance to internally displaced persons;

3. Encourages the Secretary-General to seek also views and information from the specialized agencies, relevant United Nations organs, regional intergovernmental and non-governmental organizations and experts in all regions on these issues, as well as of the Emergency Relief Coordinator, the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration, the International Committee of the Red Cross and the Ad Hoc Working Group on Early Warning regarding New Flows of Refugees and Displaced Persons established by the Administrative Committee on Coordination;

4. Encourages all interested Governments to make known their views on the subject;

5. Requests the Secretary-General to submit a comprehensive study to the Commission at its forty-ninth session, identifying existing laws and mechanisms for the protection of internally displaced persons, possible additional measures to strengthen implementation of these laws and mechanisms and alternatives for addressing protection needs not adequately covered by existing instruments;

6. Invites the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the International Committee of the Red Cross to contribute to the preparation of this study;

7. Decides to continue its consideration of the question at its forty-ninth session under an appropriate agenda item.

55th meeting
5 March 1992
[Adopted without a vote. See chap. XI.]

1992/74. Programmes of action for the prevention of the sale of children, child prostitution and child pornography and for the elimination of the exploitation of child labour

The Commission on Human Rights,

Bearing in mind its resolutions 1991/54 and 1991/55 of 6 March 1991,

Having examined the report of the Working Group on Contemporary Forms of Slavery on its sixteenth session (E/CN.4/Sub.2/1991/41 and Corr.1), especially the draft programme of action for the prevention of the sale of children, child prostitution and child pornography, annexed to the report and transmitted to the Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its decision 1991/113 of 29 August 1991,

Having also examined the report of the Secretary-General (E/CN.4/1992/45) prepared in accordance with its resolutions 1991/54 and 1991/55, *Bearing in mind* decision 1990/6 on children in particularly difficult circumstances, adopted by the Executive Board of the United Nations Children's Fund at its 1990 session,

Deeply concerned at the information received relating to the exploitation of children in its different forms, the sale of children, child prostitution and child pornography,

Noting with deep concern the information on the generalization of the exploitation of child labour,

Conscious of the harm that these practices cause to children all over the world, especially in third world countries with problems of development,

Taking note with satisfaction of the intention of the International Labour Organisation to carry out a new programme on the elimination of the exploitation of child labour,

Conscious of the necessity to adopt urgent measures for the prevention and elimination of these problems,

I

PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

1. *Adopts* the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, annexed to the present resolution;

2. *Recommends* to all States, whether or not they are parties to the Convention on the Rights of the Child, that they adopt legislative and administrative measures necessary to carry out the Programme of Action at the national and international levels;

3. *Urges* the United Nations bodies and intergovernmental organizations concerned, such as the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the International Tourism Organization and the International Criminal Police Organization, to bear in mind the Programme of Action in the design of their policies and in the development of programmes relating to the child population and to the family;

4. *Also urges* non-governmental organizations to adopt the Programme of Action for the development of activities relating to their mandates;

5. *Recommends* to the Committee on the Rights of the Child that it consider the possibility of bearing in mind the Programme of Action in

studying the reports submitted by States parties to the Convention on the Rights of the Child and, in general, in all actions that it carries out in accordance with its mandate;

6. Recommends that the Special Rapporteur on the sale of children bear in mind the Programme of Action in developing his activities under his mandate;

7. Requests all States to inform periodically the Sub-Commission of measures adopted to implement the Programme of Action and on the efficacy of such measures;

8. Requests the Sub-Commission to submit every two years a report to the Commission on Human Rights on the state of implementation of the Programme of Action by all States;

9. Requests the Under-Secretary-General for Human Rights to extend the necessary collaboration to the Sub-Commission in order to fulfil the present mandate;

10. Decides to examine the question of the implementation of the Programme of Action every two years in order to evaluate the progress made in the prevention and elimination of the problems of the sale of children, child prostitution and child pornography.

II

PROGRAMME OF ACTION FOR THE ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR

1. Welcomes with satisfaction the report of the Secretary-General, (E/CN.4/1992/45) prepared pursuant to its resolutions 1991/54 and 1991/55, on the draft programme of action for the elimination of the exploitation of child labour;

2. Takes note of the comments received by the Secretary-General from Governments, specialized agencies and intergovernmental organizations on the draft programme of action on the elimination of the exploitation of child labour;

3. Decides to submit the draft programme of action on the elimination of the exploitation of child labour (E/CN.4/1992/45, annex) to the Sub-Commission on Prevention of Discrimination and Protection of Minorities so that it may make the necessary changes, taking into account the views received by Governments, specialized agencies and intergovernmental and non-governmental organizations;

4. Requests the Sub-Commission to give the utmost priority to the re-elaboration of this draft programme of action so that it may be approved by the Commission on Human Rights at its forty-ninth session;

5. Requests the Special Rapporteur, given his experience, to consider the possibility or presenting his comments and suggestions to the Working Group on Contemporary Forms of Slavery, if possible by attending the session of the Group;

6. Requests the Under-Secretary-General for Human Rights to provide the Sub-Commission with the necessary support for the fulfilment of this mandate;

7. Decides to consider the question at its forty-ninth session under the agenda item entitled "Rights of the child".

55th meeting
5 March 1992
[Adopted without a vote. See chap. XXII.]

ANNEX

Programme of action for the prevention of the sale of children, child prostitution and child pornography

General

1. Child victims of trafficking and sale, child prostitution and child pornography are children in especially difficult circumstances, as indicated in the World Declaration on the Survival, Protection and Development of Children, adopted in New York on 30 September 1990 by the World Summit for Children (See E/CN.4/1991/59, annex).

2. The trafficking in and sale of children, child prostitution and child pornography constitute modern forms of slavery which are incompatible with human rights, human dignity and values and jeopardize the welfare of individuals, families and society as a whole.

3. To prevent the trafficking in and sale of children, child prostitution and child pornography, concerted measures are called for at the national, regional and international levels, including information, education, assistance and rehabilitation, legislative measures and a strengthening of law enforcement in this field. Coordinating agencies should be appointed or established at the national, regional and global levels.

4. At the global level, coordination of the Programme of Action should be carried out by the Centre for Human Rights in cooperation with other sections of the United Nations Secretariat, the Centre for Social Development and Humanitarian Affairs of the Secretariat, the United Nations Development Programme, the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the

World Health Organization. Cooperation should also be established with regional bodies, the World Tourism Organization, the International Criminal Police Organization and non-governmental organizations.

5. Economic conditions will continue to have considerable influence over the destiny of children, particularly in the developing countries. For the future of all children, it is absolutely essential to ensure or revive sustained and sustainable economic growth and development in all countries.

6. The best interests of the child should govern every decision and guide all efforts undertaken to implement this Programme of Action.

7. The measures contained within this Programme of Action should be implemented bearing in mind the economic imbalance which exists between industrialized States and the developing nations and the need to support the efforts of developing countries in this regard.

8. States are required to accord a clear high level of commitment and priority to combat and eliminate the trafficking in, sale and sexual exploitation of children.

9. States should systematically discourage the exercise of all customs, traditions and practices which encourage the trafficking in and sale or sexual exploitation of children.

10. The sale of children, child prostitution and child pornography cannot be justified by reason of poverty or underdevelopment. Besides the long-term action required to treat the underlying causes and thus prevent these phenomena from occurring in the future, it is essential that States take urgent and immediate measures to reduce the dangers that children face.

11. In situations of emergency, national or international conflicts, or disasters, when communities and normal patterns of life break down, children are especially vulnerable. In such circumstances, States should take all necessary measures to protect children from trafficking, sale and sexual exploitation.

Information

12. International, regional and national information campaigns are required to raise public awareness at all levels of the grave problems of trafficking in, and sale of children, child prostitution and child pornography by:

(a) Warning and informing people about these grave abuses;

(b) Informing them about prevention programmes;

(c) Publicizing ways of reporting these abuses;

(d) Publicizing services for victims;

(e) Making known the penalties for the perpetrators;

(f) Teaching that culture and traditions which encourage these forms of child abuse are contrary to international norms for the protection of children.

13. In order to increase the availability and to improve the quality of information, investigation of abuses should be undertaken by public and private institutions. The results should, wherever possible, be made public and exchanged between governmental and non-governmental organizations at the local, national and international levels. Due regard should be paid to the need for confidentiality with regard to the identity of the victims.

14. It is imperative that information programmes be carried out on a continuous basis. Nevertheless, to provide a focus for the campaigns, States should consider the possibility of proclaiming a world day for the abolition of contemporary forms of slavery. The anniversary of the adoption of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 2 December, might be an appropriate date. Alternatively, an international children's day already established in a State's calendar might be used for this purpose.

15. The media should contribute fully to these information efforts with a view to ending the silence surrounding these forms of child exploitation.

16. Non-governmental organizations and associations should be encouraged to lend their full support to these efforts.

17. Law enforcement agencies should be given a significant role in these information campaigns.

Education

18. The following educational goals are central to this Programme of Action:

(a) Universal primary education for all, with special emphasis on girls;

(b) Accelerated literacy programmes for women and girls;

(c) Vocation-oriented formal and/or non-formal education curricula.

19. Preventive educational programmes could usefully be integrated into primary and secondary school curricula. Similar programmes should be designed for out-of-school children and particularly vulnerable groups, for example, street children, adolescent mothers and single and abandoned mothers.

20. Specific educational measures and training should be directed towards professionals who work with children, including teachers, social workers, health workers, members of the police, members of the judiciary and religious

personnel. Special educational measures should be directed towards the general public, especially men and parents, and to particular groups, such as travel agencies, tourists and the military.

21. All educational efforts should be based on universal ethical principles including the recognition of the integrity of the family and of every child's fundamental rights to the integrity of his or her own body and the protection of his or her identity. Such educational programmes should include:

(a) The rights of the child and the respect due to all children by all;

(b) The inculcation of values such as self-esteem;

(c) The transmission of universal ethical principles;

(d) Making the child understand the dangers of trafficking and sale, child prostitution and pornography, including health risks such as acquired immunodeficiency syndrome, and of drug and alcohol consumption and their damaging effects;

(e) Ways to prevent, identify and expose such abuses and to help child victims;

(f) Education in fatherhood and motherhood, including the need to create a family atmosphere of trust and communication within which a child can expose these issues;

(g) The principle of equality between men and women.

22. Innovative methods, including the use of the mass media, and grass-root community-based methods reaching the widest possible public, including potential victims, should be encouraged.

23. In all educational measures, care should be taken to avoid both underplaying and sensationalizing these issues. Account should be taken of the sociocultural characteristics and economic conditions of each country and, where children are involved, of the age of the child.

Legal measures and law enforcement

24. Preventive legislation aimed at protecting children should be promulgated, strengthened and better enforced. Police, courts and treatment and support systems should focus on the welfare and protection of children. Legal aid should be made available to those who claim to have been sexually violated and to parents or legal guardians in cases of trafficking in and sale of children. Methods should be developed to obtain evidence from the child without further traumatization, and witnesses should be afforded protection.

25. Trafficking in, sale or sexual exploitation of children are serious crimes and must be treated as such. Efforts should be made to detect, arrest and

convict clients, consumers, procurers, intermediaries and accomplices, and provision made for sanctions which take into account the grave nature of these offences.

26. Effective legislative and enforcement measures must also be directed against the intermediaries and others who encourage and make profits from the trafficking in, sale and sexual exploitation of children, such as agents, dealers, brothel-owners, policemen, and others involved. The proceeds from such activities should be seized and confiscated.

27. The Convention on the Rights of the Child provides protection against trafficking in, sale and sexual exploitation of children. States are encouraged to become parties to the Convention at the earliest possible date. For its implementation within States, national institutions composed of representatives of public agencies, non-governmental organizations and associations should be established to coordinate action and to protect children and their rights.

28. States are urged to become parties to the International Labour Organisation conventions pertaining to the employment of children, in particular the Minimum Age Convention, 1973 (No. 138), and effectively to enforce laws which prohibit the employment of children in work likely to endanger their morals and physical health.

29. States are urged to ratify and effectively implement the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956, and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949, and, furthermore, to submit reports regularly to the Secretary-General of the United Nations on their implementation.

30. States are urged to take all necessary measures to ensure that persons involved in trafficking in, sale or sexual exploitation of children are punished or extradited to other countries.

31. States should keep under review all new forms of technology which could be used for trafficking in, sale or sexual exploitation of children, and adopt appropriate legislation.

Social measures and development assistance

32. These abuses are often linked with poverty. Their prevention and elimination requires long-range structural reforms in the social and economic fields. In the short term, development activities of United Nations agencies, especially the World Bank and the International Monetary Fund, and of other international and national agencies should have a substantive and positive impact on children and promote appropriate development strategies and policies. Priority should be given to formulating a family policy to prevent abuse and to policies aimed at improving the social, economic and working conditions of

girls and women in general, and of the poorest girls and women in particular. Local community-based projects, including collective self-help projects should also be encouraged.

33. The needs of children who have been victims of trafficking, sale or sexual exploitation should be taken into account in development plans and assistance. Special attention should be given to certain groups of children at risk, for example, street children, teenage single mothers, children of broken homes or those whose mothers are in prostitution and other children in especially difficult circumstances. Governments, specialized agencies, United Nations bodies and non-governmental organizations should be encouraged to initiate projects designed to protect street children from sexual abuse (mobile units to offer social and medical aid, small-scale enterprise projects for children, "safe houses", emergency centres, etc.). Efforts should be made to reunite street children in cities with their families in rural areas and in general to improve the social, economic and working conditions of parents whose children are victims of sexual exploitation or are at high risk.

Rehabilitation and reintegration

34. Rehabilitation and reintegration programmes using an interdisciplinary approach should be established to assist children who have been victims of trafficking, sale or sexual exploitation and their families. Agencies implementing such programmes, whether public or non-governmental, should be established, or strengthened by being provided with the necessary support and funding. They should be encouraged to request technical assistance, evaluational assistance, information on new methods of self-funding schemes, etc., from United Nations bodies and from public or private, national or international sources with relevant competence.

International coordination

35. Bilateral and multilateral cooperation among law enforcement agencies is essential. States should establish their own data bases, improve their reporting at all levels, exchange information and report to the International Criminal Police Organization to enable a special data bank on suspects involved in cross-border trafficking, sale or sexual exploitation of children to be set up. The experience gained in international police cooperation in combating drug traffic should be used to prevent international traffic in and sexual exploitation of children.

36. A special intergovernmental task force should be set up at the regional level to assist Governments in devising ways and means of checking the phenomena of the trafficking in, sale and sexual exploitation of children; national level commissions should plan new measures to address these problems in cooperation with concerned non-governmental organizations.

Trafficking in and sale of children

37. The measures mentioned in the following paragraphs specific to the trafficking in and sale of children are required.

38. States should take effective legal and administrative measures to prevent the abduction and sale of children for whatever purpose (sexual exploitation, any form of labour, adoption, criminal activities, trafficking in organs, etc.). Laws should be adopted or strengthened which impose penalties on parents and on all others knowingly involved in the trafficking in and sale of children.

39. States should pay special attention to preventing and severely punishing any case of sale, abduction or traffic of children for transplantation of organs, particularly from developing to developed countries. They should cooperate with each other and with intergovernmental and non-governmental organizations to these ends.

40. States should adopt urgent and effective procedures at the national level and through bilateral and international cooperation to find abducted, unlawfully removed or disappeared children and to trace families and reunite such children with their families. In this regard, special attention should be given to the situation of refugee children and their need for protection from trafficking, sale and sexual exploitation.

41. Measures should be taken to ensure that international adoptions do not involve the sale of children by their parents or their illicit removal. Procedures for this purpose should be based on the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally of 1986, and the Convention on the Rights of the Child. Under no circumstances must adoption be allowed to involve financial gain for any of the parties involved. The commercialization of adoption procedures should be prohibited.

42. Inter-country adoptions, where permitted by national law, should only take place through competent, professional and authorized agencies in both the country of origin and the receiving country of the children.

43. The procedures for child birth registration, renunciation of parental rights and consent to adoption by a parent should be strictly regulated by law and adequate counselling offered to the biological parents.

44. Governmental and non-governmental bodies should cooperate at the national and international levels in order to promote and develop local and national alternatives to inter-country adoptions, such as child care facilities, including day care and other support services for parents, care by relatives, foster family care and domestic adoptions. Special efforts should be made to ensure that parents are not incited to part with their children for socio-economic reasons.

Child prostitution

45. The measures mentioned in the following paragraphs specific to child prostitution, independently of whether the clients are locals or foreigners should be taken.

46. Incest and sexual abuse within the family or by the child's employers may lead to child prostitution. States therefore should take all appropriate legislative, administrative, social and educational measures to protect children against all forms of abuse while in the care of parents, family or legal guardians or any other person.

47. Special attention should be paid to the problem of sex tourism. Legislative and other measures should be taken to prevent and combat sex tourism, both in the countries from which the customers come and those to which they go. Marketing tourism through the enticement of sex with children should be penalized on the same level as procurement.

48. The World Tourism Organization should be encouraged to convene an expert meeting designed to offer practical measures to combat sex tourism.

49. States with military bases or troops, stationed on foreign territory or not, should take all the necessary measures to prevent such military personnel from being involved in child prostitution. The same applies to other categories of public servants who for professional reasons are posted abroad.

50. Legislation should be adopted to prevent new forms of technology from being used for soliciting for child prostitution.

Child pornography

51. The measures mentioned in the following paragraphs specific to child pornography are required.

52. Law enforcement agencies, and social and other services should place a higher priority on the investigation of child pornography in order to prevent and eliminate any exploitation of children.

53. States that have not yet done so are urged to enact legislation making it a crime to produce, distribute or possess pornographic material involving children.

54. Where required, new legislation and penalties should be introduced for the mass media which broadcast or publish material threatening the psychic or moral integrity of children or containing unhealthy or pornographic descriptions and to prevent new technology being used to produce pornography, including video films and pornographic computer games.

55. States should be encouraged to protect children from exposure to adult pornography, especially through new forms of technology, by adopting suitable legislation and appropriate measures of control.

56. States should encourage the mass media and the journalistic profession to adopt codes of practice governing the publication of material, including advertising, with pornographic overtones, and should remind them of their responsibility in influencing public attitudes.

Follow-up

57. States are invited to consider this Programme of Action in relation to the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s (See E/CN.4/1991/59, annex) and to the implementation of the Convention on the Rights of the Child.

58. States are further invited to inform the Sub-Commission on Prevention of Discrimination and Protection of Minorities periodically on measures taken to implement the Programme of Action, whether or not they are parties to the Convention on the Rights of the Child.

59. United Nations bodies, specialized agencies and non-governmental organizations are invited to examine the application of the above Programme of Action as appropriate to their mandates.

1992/75. Implementation of the Convention on the Rights of the Child

The Commission on Human Rights,

Recalling General Assembly resolution 46/112 of 17 December 1991 and Commission resolution 1991/52 of 6 March 1991,

Reaffirming that the rights of children require special protection and call for continuous improvement of their situation all over the world, as well as for their development and education in conditions of peace and security,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social conditions, natural disasters, armed conflicts, exploitation, illiteracy, hunger and disability, and convinced that urgent and effective national and international action is called for,

Mindful of the important role of the United Nations Children's Fund and of the United Nations in promoting the well-being of children and their development,

Convinced that the Convention on the Rights of the Child, as a standard-setting accomplishment of the United Nations in the field of human rights, makes a positive contribution to protecting the rights of children and ensuring their well-being, *Recalling* the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s (E/CN.4/1991/59, annex) adopted at the World Summit for Children, held in New York on 29 and 30 September 1990, and stressing the necessity to ensure the follow-up of the Summit at the national and international levels,

Having considered the report of the Secretary-General on the status of the Convention on the Rights of the Child (E/CN.4/1992/54),

Encouraged by the fact that an unprecedented number of States have to date become signatories and parties to the Convention, thereby demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

1. *Takes note with appreciation* of the report of the Secretary-General on the status of the Convention on the Rights of the Child;

2. *Expresses its satisfaction* at the number of States that have signed, ratified or acceded to the Convention since it was opened for signature, ratification and accession on 26 January 1990;

3. *Calls upon* all States that have not done so to sign, ratify or accede to the Convention as a matter of priority;

4. *Requests* the Secretary-General to provide all facilities and assistance necessary for the dissemination of information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention, as well as to promote the full realization of its principles and provisions;

5. *Emphasizes* the importance of the strict compliance by States parties with their obligations under the Convention;

6. *Appeals* to States parties to the Convention that have made reservations, to review the compatibility of their reservations with article 51 of the Convention and other relevant rules of international law;

7. *Recognizes* the important functions of the Committee on the Rights of the Child in overseeing the effective implementation of the provisions of the Convention;

8. *Welcomes* the constructive and useful results achieved by the Committee on the Rights of the Child during its first session, held at Geneva from 30 September to 18 October 1991, including the adoption of the general guidelines regarding the form and contents of initial reports to be submitted by States parties (CRC/C/7, annex III);

9. Strongly supports the recommendations contained in the report of the Committee (CRC/C/7), in particular the organization of the future work of the Committee on the basis of two sessions per year, each of two or three weeks duration, and the establishment of a pre-sessional working group for a preliminary review of reports from States parties;

10. Requests the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee on the Rights of the Child;

11. Also Requests the Secretary-General to make the necessary resources available, within the overall existing budget framework, to enable the Working Group of the Whole of the Committee on the Rights of the Child to meet in 1992 subsequent to the second session of the Committee;

12. Invites bodies and organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, to intensify their efforts with a view to disseminating information on the Convention and promoting its understanding;

13. Requests the Secretary-General to submit a report on the status of the Convention on the Rights of the Child to the Commission at its forty-ninth session;

14. Decides to consider the report of the Secretary-General at its forty-ninth session under the agenda item entitled "Rights of the Child";

15. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution VI.]

55th meeting
5 March 1992
[Adopted without a vote. See chap. XXII.]

1992/76. Special Rapporteur on the sale of children, child prostitution and child pornography

The Commission on Human Rights,

Recalling its resolution 1990/68 of 7 March 1990, by which it decided to appoint a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography,

Recalling also Economic and Social Council decision 1990/240 of 25 May 1990, by which the Council decided to request the Chairman of the Commission to appoint for a period of two years a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of adoption of children for commercial purposes,

Taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/34 of 29 August 1991 on the report of its Working Group on Contemporary Forms of Slavery on its sixteenth session (E/CN.4/Sub.2/1991/41 and Corr.1),

Taking note also of Sub-Commission decision 1991/113 of 29 August 1991, in which the Sub-Commission decided to transmit to the Commission the draft programme of action for the prevention of the sale of children, child prostitution and child pornography annexed to the report of the Working Group,

Recalling the wide ratification of and accession to the Convention on the Rights of the Child and the meaningful role it can play in ensuring an effective protection of the rights of children,

Deeply concerned, however, about the persistence of situations of the sale of children, child prostitution and child pornography in many parts of the world,

Recognizing the need for a continuing exchange of information between the various mechanisms and bodies entrusted with the task of preventing and combating situations of the sale of children, child prostitution and child pornography,

Recognizing also the need to build a network of contacts at both the national and international levels, including the governmental and non-governmental spheres,

Having considered the report of the Special Rapporteur on the sale of children (E/CN.4/1992/55 and Add.1) and the conclusions and recommendations contained therein,

1. Welcomes the report of the Special Rapporteur on the sale of children;

2. Endorses the conclusions and recommendations of the Special Rapporteur concerning the strengthening of preventive strategies to tackle the root causes of the sale of children, child prostitution and child pornography;

3. Stresses the need for an effective multidisciplinary approach, both at the international and national levels;

4. Recognizes the important role specialized agencies, non-governmental organizations and the community at large can play in order to ensure a greater awareness and more effective action in preventing situations of the sale of children, child prostitution and child pornography, including by the dissemination of information and the teaching of children's rights;

5. *Emphasizes* the importance of ensuring the training on children's rights of those who are involved in actions concerning children, in particular the judiciary and law enforcement officials, and draws the attention of interested Governments to the possibilities offered in this connection by the United Nations programme of advisory services in the field of human rights;

6. *Reaffirms* the need for establishing and ensuring the implementation of a legal framework aimed at effectively protecting children's rights, as well as at providing appropriate remedies for children whose rights have been violated;

7. *Encourages* the establishment of bodies and institutions, both governmental and non-governmental, acting on behalf of the child in light of his or her best interests;

8. *Endorses* the recommendation of the Special Rapporteur that States should establish a national focal point to coordinate action on children's rights, including in the field of the sale of children, child prostitution and child pornography;

9. *Takes note with appreciation* of the information provided by the Special Rapporteur on these areas as well as on the methods of work he has established;

10. *Decides* to extend the mandate of the Special Rapporteur for three years, while maintaining the annual reporting cycle, in order to enable him to submit further conclusions and recommendations to the Commission;

11. *Requests* the Special Rapporteur, in carrying out his mandate, to continue to seek and receive credible and reliable information from Governments, specialized agencies and intergovernmental and non-governmental organizations;

12. *Also requests* the Special Rapporteur, within the framework of his mandate, to pay particular attention to areas which are still insufficiently documented and to set priorities of short and medium term in his recommendations to the Commission;

13. *Invites* the Special Rapporteur to cooperate closely with the Committee on the Rights of the Child and the Working Group on Contemporary Forms of Slavery and other competent United Nations bodies dealing with questions covered by his mandate and to this effect invites him to participate at the next session of that Working Group;

14. *Appeals* to all Governments to cooperate with and assist the Special Rapporteur in the performance of his tasks and to furnish all information requested;

15. *Expresses its thanks* to the Governments which have invited the Special Rapporteur to visit their countries and asks them to give all necessary attention to his recommendations and to inform him of any action taken thereon;

16. Requests the Secretary-General to provide all necessary assistance to the Special Rapporteur in order to enable him to submit his report to the Commission at its forty-ninth session.

55th meeting
5 March 1992
[Adopted without a vote. See chap. XXII.]

1992/77. Situation of human rights in Haiti

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming that all Member States have a duty to promote human rights and to fulfil their obligations under the various human rights instruments,

Recalling its resolution 1991/77 of 6 March 1991 on the situation of human rights in Haiti,

Taking account of the report (E/CN.4/1992/50 and Add.1) of the Independent Expert, Mr. Marco Tulio Bruni Celli, appointed by the Chairman of the Commission at its forty-seventh session,

Recalling General Assembly resolutions 46/7 of 11 October 1991 and 46/138 of 17 December 1991,

Deeply concerned about the serious events occurring in Haiti since 29 September 1991, which abruptly and violently interrupted the democratic process in that country, entailing the loss of human lives and the violation of human rights,

Concerned also at the mass exodus of Haitian nationals fleeing the country because of the deterioration in the political and economic situation since 29 September 1991,

Noting the unanimous declaration on Haiti adopted by the Permanent Council of the Organization of American States on 22 November 1991, and the subsequent dispatch by the Inter-American Commission on Human Rights of an investigating team to Haiti on 4 December 1991,

Welcoming the ongoing negotiations for the restoration of the rule of law,

Aware that the Commission must keep a close watch on the situation of human rights in Haiti,

1. Expresses its appreciation to the Independent Expert for his report on the situation of human rights in Haiti;

2. Strongly condemns the overthrow of the constitutionally elected President, Mr. Jean-Bertrand Aristide, and the use of violence and military coercion and the subsequent deterioration of the situation of human rights in that country;

3. Expresses its deep concern over the flagrant human rights violations committed under the illegal Government set up following the coup d'état of 29 September 1991, particularly summary executions, arbitrary arrests and detentions, torture, searches without warrant, rape, restrictions on the freedoms of movement, expression, assembly and association, and the repression of popular demonstrations calling for the return of President Aristide;

4. Expresses its appreciation to the Office of the United Nations High Commissioner for Refugees for the work it is doing in favour of the Haitian nationals fleeing the country and invites Member States to continue giving material and financial support to those efforts;

5. Draws the attention of the international community to the fate of the Haitian nationals who are fleeing the country and requests its support for the efforts undertaken to assist them;

6. Requests the Chairman of the Commission on Human Rights, following consultations with the Bureau, to appoint a special rapporteur with a mandate to prepare a report on the situation of human rights in Haiti based on all information which the special rapporteur deems relevant, especially information supplied by the Organization of American States, with a view to submitting an interim report to the General Assembly at its forty-seventh session and a report to the Commission at its forty-ninth session;

7. Requests the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the performance of his mandate;

8. Decides to consider the situation of human rights in Haiti at its forty-ninth session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

56th meeting
5 March 1992
[Adopted without a vote. See chap. XIX.]

1992/78. Assistance to Guatemala in the field of human rights

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reiterating that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms, even under exceptional national circumstances,

Recalling its resolution 1991/51 of 6 March 1991,

Taking into account Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/5 of 23 August 1991,

Having considered the report of the Special Rapporteur on the question of torture (E/CN.4/1992/17), the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1992/18) and the report of the Special Rapporteur on summary or arbitrary executions (E/CN.4/1992/30),

Having considered also the report of the Independent Expert, Mr. Christian Tomuschat (E/CN.4/1992/5) and studied its conclusions and recommendations,

Deeply concerned that serious violations of human rights persist, despite the efforts of the Government of Guatemala,

Taking note of the legal and institutional reforms introduced by the Government of Guatemala, with a view to combating impunity and guaranteeing the full enjoyment of human rights and fundamental freedoms,

Concerned by the fact that violations of human rights are being attributed to the voluntary civil self-defence committees,

Concerned also at the situation of the displaced population in the areas affected by the internal armed conflict and, in general, at the grave situation faced by the indigenous population, who continue to lack basic services, in violation of their human rights and fundamental freedoms,

Taking into account the fact that, during 1991, the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca initiated a process of negotiation, with the mediation of the National Conciliator, Monsignor Rodolfo Quezada Toruño, and the participation of the Observer appointed by the Secretary-General of the United Nations, in order to seek a political solution to the internal armed conflict and recognizing that due respect for human rights and the rights of the indigenous populations represent major items on the negotiating agenda, Recognizing the great importance for Guatemala and its human rights situation of the Mexico Agreement of April 1991 and the Querétaro Agreement of July 1991, signed by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca,

Aware of the need for still further progress in the investigation and punishment of those responsible for violations of human rights, in order to avoid a climate of impunity,

Concerned at the information provided by the Independent Expert regarding the participation of members of the armed forces in various acts involving violations of human rights,

Encouraged by the Government's demonstration of political will in appointing persons committed to the observance of human rights as officials responsible for human rights policy and the security forces, and by the penalties imposed on those responsible for human rights violations,

Taking note of the Agreement concluded between the Government of Guatemala and the United Nations High Commissioner for Refugees for the voluntary repatriation and care of refugees in Mexico, which contains guarantees of security, access to land, housing and food in order to facilitate their reintegration in the country,

Taking into account the fact that the Government, through the Ministry for Development and the National Fund for Peace, has established programmes for development in areas affected by the internal conflict, with a view to alleviating the plight of persons displaced or adversely affected by the conflict and providing land, implements for its cultivation, housing, food and financial assistance,

Considering that it is necessary to continue to observe the situation, through advisory services in the field of human rights, with a view to promoting full respect for human rights and fundamental freedoms and supporting the efforts of the Government of Guatemala to that end,

1. Takes note with appreciation of the report submitted by the Independent Expert;

2. Expresses its gratitude to the Government of Guatemala for its collaboration with the Commission on Human Rights in carrying out its advisory activities, as well as for the facilities and cooperation afforded to the Independent Expert;

3. Recognizes the clear commitment of the Government of Guatemala to guarantee the full enjoyment of human rights and fundamental freedoms through the introduction of legal and institutional reforms, as well as its demonstration of political will to select suitable officials for the institutions responsible for the promotion and protection of human rights and for the security forces;

4. Welcomes the progress made in the talks and negotiations being conducted between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca under the Mexico Agreement, with the mediation of the National Conciliator and with the Representative of the Secretary-General as observer, and is confident that they will lead to important agreements between the two parties;

5. Encourages the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca to continue the negotiations in accordance with the programme and procedures established in the Mexico Agreement and in the Querétaro Agreement and to ensure the full enjoyment of human rights by concluding a specific agreement on that question as early as possible;

6. Expresses its profound concern that serious violations of human rights continue to occur despite the efforts of the Government;

7. Exhorts the Government of Guatemala to expedite and further develop legal and institutional reforms to put an end to the violence and impunity, and to intensify its efforts to ensure that all its authorities and security forces fully respect human rights and fundamental freedoms;

8. Invites the Government of Guatemala to give priority to economic and social development programmes and to strengthen policies and programmes concerning the indigenous population, taking into account their proposals and aspirations;

9. Urges the Government of Guatemala to intensify investigations aimed at identifying and bringing to justice those responsible for violations of human rights, to facilitate the activities of organizations, both official and non-governmental, concerned with the promotion and protection of human rights, and to ensure that the judicial system can operate with due protection being afforded to judges, investigators, witnesses and the relatives of victims;

10. Requests the Government of Guatemala to intensify its efforts to ensure that all its authorities and security forces fully respect the human rights and fundamental freedoms of the Guatemalan people;

11. Again exhorts the Guatemalan authorities to strengthen measures to ensure that human rights are respected in the country in all their aspects and to pay special attention to the recommendations made by the Independent Expert in his report, principally the abolition of the system for the protection of the citizenry and of the voluntary civil self-defence committees, within the context of the negotiations between the Government and the Unidad Revolucionaria Nacional Guatemalteca;

12. Requests the Secretary-General to continue to provide the Government of Guatemala and non-governmental organizations, as he has been doing, with advisory services in the field of human rights;

13. Also requests the Secretary-General to extend the mandate of the Independent Expert so that he may continue to examine the human rights situation in Guatemala and provide assistance to the Government in the field of human rights and submit to the Commission at its forty-ninth session a report assessing the measures taken by the Government in accordance with the recommendations made to it;

14. Decides to consider the question at its forty-ninth session under the agenda item entitled "Advisory services in the field of human rights" or the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories", in the light of the report mentioned in paragraph 13 of the present resolution and the situation of human rights and fundamental freedoms in Guatemala.

56th meeting
5 March 1992
[Adopted without a vote. See chap. XIX.]

1992/79. Situation in Equatorial Guinea

The Commission on Human Rights,

Recalling its resolution 1991/80 of 6 March 1991,

Bearing in mind that the Economic and Social Council, in its resolution 1982/36 of 7 May 1982, took note of the Plan of Action proposed by the United Nations and accepted by the Government of Equatorial Guinea, which was based on the recommendations submitted by Mr. Fernando Volio Jiménez, the Expert appointed by the Secretary-General pursuant to Commission on Human Rights resolution 33 (XXXVI) of 11 March 1980,

Considering that the 1982 Plan of Action has never been satisfactorily implemented by the Government despite the assistance and the advice given by the Centre for Human Rights,

Noting with satisfaction that the Government of Equatorial Guinea is a party to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol thereto,

Taking into account that the Government of Equatorial Guinea has an obligation to submit periodic reports to the Committee on Economic, Social and Cultural Rights and the Human Rights Committee and that its initial reports are overdue,

Mindful of the fact that, in order to overcome the present serious deterioration of the political situation, it is not sufficient to promulgate legislation if the legislation remains without practical effect on the life of citizens, Mindful also that it is essential that all the political tendencies, including the opposition parties in exile, should play an active role,

Pointing out that the reasons given by the refugees for not returning to Equatorial Guinea, so long as an overall political solution is not achieved and a broad-based government is not established, are the persistence of systematic violations of human rights and fundamental freedoms, the systematic application of torture and other cruel, inhuman and degrading treatment or punishment to political prisoners, as well as other obstacles which the refugees are reported to face if they return to Equatorial Guinea,

Mindful further of the fact that the new Fundamental Law and the recently promulgated legislation on religious freedom, amnesty and political parties are prejudicial to the enjoyment of fundamental freedoms, to the return of the thousands of exiles and to the participation of all citizens of Equatorial Guinea in political life in complete freedom,

Taking note of the report of the Expert (E/CN.4/1992/51) which indicates that the human rights situation in Equatorial Guinea has deteriorated seriously,

Mindful that it is essential to put an end to the serious deterioration of the human rights situation in Equatorial Guinea,

1. Commends the Expert for his report;

2. Deeply deplores the serious deterioration of the human rights situation in Equatorial Guinea;

3. Expresses its serious concern at the persistence of politically motivated violations of human rights, such as arbitrary arrests and the systematic application to political prisoners of torture and other cruel, inhuman and degrading treatment or punishment;

4. Also expresses its concern at the fact that, although the Government of Equatorial Guinea approved the Plan of Action prepared by the Expert in 1980, it has never implemented the Plan;

5. Further expresses its serious concern at the fact that, notwithstanding the programme of advisory services offered to the Government of Equatorial Guinea, fundamental freedoms, and particularly freedom of worship and religion, trade union freedom, freedom of association and freedom of peaceful demonstration and assembly, are still seriously restricted;

6. Deplores the situation of women in Equatorial Guinea, as revealed by the report of the Expert;

7. Also deplores the arbitrary detentions of exiles and opponents of the regime who returned to Equatorial Guinea in order to avail themselves of the promises of political opening made by the Government;

8. Calls upon the Government of Equatorial Guinea to put an end to the use of military courts for trying ordinary law offences and to permit the establishment of an independent judiciary;

9. Also calls upon the Government of Equatorial Guinea to take all necessary measures to promote harmonious coexistence of the peoples forming the society of Equatorial Guinea;

10. Further calls upon on the Government of Equatorial Guinea to free all political prisoners and to take, as soon as possible, legislative and administrative measures satisfying the requirements laid down in the International Bill of Human Rights and in other relevant international instruments, and providing for the establishment of freedom, democracy and the rule of law, as well as the promotion and effective protection of human rights and fundamental freedoms of all citizens of Equatorial Guinea;

11. Encourages the Government of Equatorial Guinea to endeavour to facilitate the return of all refugees and exiles, inter alia, by adopting measures permitting the full participation of all citizens in the country's political, economic, social and cultural affairs, thus helping to resolve the shortage of specialized personnel, as indicated in the report of the Expert;

12. Requests its Chairman, following consultations with the Bureau, to appoint an individual of recognized international standing in the field of human rights, who is entirely familiar with the situation in Equatorial Guinea, as an expert of the Commission whose mandate will be to make a thorough study of the violations of human rights by the Government of Equatorial Guinea, on the basis of all the information which he considers relevant, including information furnished by intergovernmental and non-governmental organizations and, in particular, any documentation provided by the Government of Equatorial Guinea;

13. Requests the Government of Equatorial Guinea to give all necessary cooperation to the Expert and to the Centre for Human Rights in the implementation of the new Emergency Plan of Action (E/CN.4/1992/51, para. 125);

14. Urges the Government of Equatorial Guinea to propose to the International Committee of the Red Cross the conclusion of an agreement for the purpose of enabling the Committee to make periodic visits to prisons and civil and military detention centres, including cells in which persons are held incommunicado;

15. Invites the Government of Equatorial Guinea to initiate negotiations with the opposition with a view to establishing the bases for democratic process in Equatorial Guinea;

16. Requests the Secretary-General to provide all necessary assistance to the Expert;

17. Requests the Expert to report to the Commission at its forty-ninth session;

18. Decides to consider the question at its forty-ninth session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories", unless there is a significant improvement in the situation of human rights and fundamental freedoms in Equatorial Guinea.

56th meeting
5 March 1992
[Adopted without a vote. See chap. XIX.]

1992/80. Advisory services and Voluntary Fund for Technical Cooperation in the Field of Human Rights

The Commission on Human Rights,

Recalling General Assembly resolution 926 (X) of 14 December 1955, in which the Assembly established the United Nations programme of advisory services in the field of human rights, in particular its provision that advisory services should be rendered by the Secretary-General solely at the request of Governments,

Recalling its resolutions 1985/26 of 11 March 1985 and 1991/49 and 1991/50 of 5 March 1991,

Recalling, in particular, the establishment by the Secretary-General on 16 November 1987 of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights pursuant to Commission resolution 1987/38 of 10 March 1987 and Economic and Social Council decision 1987/147 of 29 May 1987,

Taking note of the relevant provisions of resolutions adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, inter alia, resolution 1991/35 of 29 August 1991, and of recommendations made in reports submitted to the Sub-Commission, inter alia, the report on the independence of the judiciary and the protection of practising lawyers (E/CN.4/Sub.2/1991/30 and Add.1-4) concerning advisory services,

Convinced of the need for the Secretary-General to enhance efforts to coordinate system-wide advisory services and technical assistance in the field of human rights through flexible inter-agency collaboration,

Convinced also of the need for the Centre for Human Rights to assume the functions of a focal point and clearing-house for inter-agency coordination with other organizations of the United Nations system, *Reaffirming* that within the common context of the comprehensive programme of advisory services and technical cooperation, a clear distinction should be made between technical cooperation projects financed under the Voluntary Fund for Technical Cooperation in the Field of Human Rights and activities under the regular budget of the United Nations,

Noting the importance of expert services, fellowships and scholarships, training courses and seminars under the programme of advisory services as forms of practical assistance to States with a view to enabling them to develop the necessary mechanisms to meet international human rights standards,

Noting also that the Centre for Human Rights, in executing projects under the Voluntary Fund, gives priority to activities aimed at building up or strengthening national and regional institutions and infrastructures in the field of human rights,

Noting with interest the work of the Advisory Group in the Centre for Human Rights in assisting the Secretary-General to deal with requests submitted by Governments on the basis of project guidelines which have been drawn up in conformity with established practices of the United Nations Development Programme,

Taking note with appreciation of the report of the Secretary-General on advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights (E/CN.4/1992/49),

I. ACTIVITIES UNDER THE REGULAR BUDGET OF THE UNITED NATIONS

1. *Welcomes* the efforts of the Secretary-General to ensure close coordination between the activities under the regular programme of human rights and those of the Voluntary Fund for Technical Cooperation in the Field of Human Rights and, at the same time, to make a clear distinction between activities under the regular programme of advisory services and the technical cooperation projects financed under the Voluntary Fund;

2. *Reaffirms* that the programme of advisory services in the field of human rights should continue to provide practical assistance in the implementation of international conventions on human rights to those States which indicate a need for such assistance;

3. *Requests* the Secretary-General to give special attention to proposals of competent United Nations treaty bodies, as well as of special rapporteurs and representatives;

4. *Invites* competent United Nations bodies, such as the committees set up under the International Covenants on Human Rights, the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of the Child, to make suggestions and proposals for the implementation of advisory services;

5. Requests its special rapporteurs and representatives, as well as the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention, to inform Governments, whenever appropriate, of the possibility of availing themselves of the services provided for under the programme of advisory services and to include in their recommendations, whenever appropriate, proposals for specific projects to be realized under the programme of advisory services;

6. Encourages Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services of experts in the field of human rights, for example, for drafting basic legal texts in conformity with international conventions on human rights;

7. Welcomes the increasing number of requests from Governments for support and technical assistance in the field of human rights, including the drafting of constitutions and other national legal instruments, as well as assistance in the preparation of democratic elections;

8. Appeals to all Governments to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

9. Calls upon the Secretary-General to implement such activities on the basis of clearly defined objectives and themes, as well as to follow up and evaluate them, taking into account the precise needs of the beneficiaries;

10. Suggests to the Secretary-General that all seminars, workshops and training courses be the subject of concise reporting in order to facilitate follow-up and evaluation;

11. Recommends to the Secretary-General that the provision of expert assistance and activities to assist Governments in the development of the necessary mechanisms to meet international human rights standards should continue to increase;

12. Requests the Secretary-General again to provide urgently more human and financial resources for the enlargement of advisory services, within existing overall United Nations resources and particularly from section 24 of the regular budget concerning technical cooperation, in order to meet the increased demand on this important instrument intended to invigorate the human rights spirit in the world;

13. Also requests the Secretary-General to pursue his efforts towards a medium-term plan for advisory services and technical assistance in the field of human rights, taking into account the comments and views expressed by Governments at the forty-seventh session of the Commission on Human Rights;

II. ACTIVITIES UNDER THE VOLUNTARY FUND FOR TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS

14. *Expresses its appreciation* to the Secretary-General for the projects realized since the establishment of the Voluntary Fund for Technical Cooperation in the Field of Human Rights;

15. *Also expresses its appreciation* to those Governments and non-governmental organizations that have made financial contributions to the Voluntary Fund;

16. *Emphasizes* that the objective of the Voluntary Fund is to provide financial support for international cooperation aimed at building up and strengthening national and regional institutions and infrastructures which will have a long-term impact on improved implementation of international conventions and other international instruments on human rights promulgated by the United Nations, the specialized agencies or regional organizations;

17. *Requests* the Secretary-General to continue to elaborate comprehensive programmes of advisory services and technical cooperation on the basis of careful preparations, maintaining a clear distinction between technical cooperation projects financed under the Voluntary Fund and other activities, such as seminars, fellowships and dissemination of documentation, to be financed under the regular budget of the United Nations and within the World Public Information Campaign for Human Rights;

18. Considers that advisory services through the Voluntary Fund constitute a potent factor for strengthening the relevant national and regional institutions in requesting countries;

19. *Underlines* that any assistance for strengthening human rights and democracy through advisory services of the Voluntary Fund has to be well prepared, and that there should be a regular follow-up between the involved national bodies and the Centre for Human Rights;

20. *Encourages* the Secretary-General and the Centre for Human Rights to participate actively in the formulation of projects regarding technical cooperation in the field of human rights, in close consultation with the Governments concerned, taking into account relevant suggestions made by human rights treaty bodies, special rapporteurs and non-governmental organizations and efforts for wider cooperation at the regional level;

21. *Takes note with appreciation* of the establishment of the Technical Cooperation Unit in the Centre for Human Rights to assist the Secretary-General in the administration and operation of the Voluntary Fund in accordance with Commission resolution 1987/38 and Economic and Social Council decision 1987/147;

22. *Underlines* the importance of streamlining and rationalizing working methods and procedures as is currently being undertaken by the Technical Cooperation Unit, including efforts to improve evaluation and follow-up, as

well as of coordination within the Centre for Human Rights, and requests the Secretary-General to continue examining ways and means to improve further the administration and operation of the Voluntary Fund;

23. Invites the Centre for Human Rights in this regard to consider developing model projects for legal protection and the strengthening of the independence of the judiciary as part of the core activities of the Voluntary Fund, bearing in mind the need to adapt these projects to specific situations;

24. Encourages the Secretary-General to pay due attention to the particular needs of developing countries from all regions and to explore fully the possibilities offered by the cooperation of the relevant specialized agencies with the Centre for Human Rights;

25. Requests the Secretary-General to bring regularly to the attention of the competent human rights organs and of all Governments, especially those that as yet have not been notified, of the possibilities that exist under the Voluntary Fund of providing technical cooperation in the field of human rights to Governments at their request;

26. Encourages Governments interested in technical cooperation in the field of human rights, particularly those of developing countries, to make use of the Voluntary Fund;

27. Also encourages Governments to seek contact and to cooperate with non-governmental human rights organizations in formulating and implementing programmes under the Voluntary Fund;

28. Requests the Secretary-General to guarantee transparency of the criteria applied and of the rules of procedure to be followed in carrying out technical cooperation in the field of human rights;

III. SYSTEM-WIDE COOPERATION

29. Requests the Secretary-General to explore yet further the possibilities offered by cooperation between the Centre for Human Rights and specialized bodies and other organizations of the United Nations system, such as the Centre for Social Development and Humanitarian Affairs, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Institute for Training and Research, the Office of the United Nations High Commissioner for Refugees, the United Nations Interregional Crime and Justice Research Institute, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the World Bank;

30. Also requests the Secretary-General to bring the need for further technical assistance in the legal field that has been indicated by a number of States to the attention of the United Nations bodies and the specialized agencies that are active in providing assistance in the field of development with a view to promoting human rights in the development strategies and policies of the United Nations system;

31. *Encourages*, in this regard, the Secretary-General to explore fully the possibilities for a system-wide use of model projects for legal protection and the independence of the judiciary to be developed by the Centre for Human Rights;

32. *Also encourages* the cooperation between the Centre for Human Rights and the United Nations Development Programme, and the leadership of both organizations to enhance further coordination and cooperation between them, in particular with a view to preparing and executing jointly individual projects benefiting from the opportunities offered by resident representatives of the Programme;

33. *Further encourages* the Secretary-General in his efforts to attribute to the Centre for Human Rights the functions of a focal point and clearing-house for inter-agency coordination with other organizations of the United Nations system;

34. *Requests* the Secretary-General to report annually to the Commission on Human Rights on the progress made in the implementation of the programme of advisory services and technical cooperation in the field of human rights and, in a distinct part of his annual report, on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights.

56th meeting
5 March 1992
[Adopted without a vote. See chap. XIX.]

1992/81. *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*

The Commission on Human Rights,

Reaffirming once more the permanent validity of the principles and standards embodied in the principal instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Bearing in mind the principles and standards established within the framework of the International Labour Organisation and the importance of the task carried out in connection with migrant workers and their families in other specialized agencies and in various United Nations bodies,

Reiterating that, in spite of the existence of an already established body of principles and standards, there is a need to make further efforts to improve the situation and ensure the human rights and dignity of all migrant workers and their families, *Recalling* General Assembly resolution 45/158 of 18 December 1990, in which the Assembly adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Recalling also that the General Assembly, in its resolution 46/114 of 17 December 1991, requested the Secretary-General to submit to the Assembly at its forty-seventh session a report on the status of the Convention,

Recalling further its resolution 1991/60 of 6 March 1991, in which it encouraged the Secretary-General to assume an active role in disseminating information on, and promoting, the Convention through the World Public Information Campaign for Human Rights and the programme of advisory services in the field of human rights and in cooperation with interested United Nations bodies,

1. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (E/CN.4/1992/38);

2. *Urges* all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expresses the hope that it will enter into force at an early date;

3. *Requests* the Secretary-General to provide all facilities and assistance necessary for the promotion of the Convention, through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights;

4. *Invites* agencies and organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, to intensify their efforts with a view to disseminating information on the Convention and to promoting understanding thereof;

5. *Requests* the Secretary-General to submit to the Commission at its forty-ninth session a report on the status of the Convention;

6. *Decides* to include in the provisional agenda for the forty-ninth session of the Commission the item entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers".

56th meeting
6 March 1992
[Adopted without a vote. See chap. XIII.]

1992/82. Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

The Commission on Human Rights,

Recalling its decision 1984/116 of 16 March 1984, by which it established an open-ended working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms,

Recalling also its subsequent resolutions, in particular resolution 1991/63 of 6 March 1991, in which it authorized further meetings of the working group and noted the progress it had achieved,

Conscious of the importance of taking into account the opinions of all Members States and of interested intergovernmental and non-governmental organizations, before finalizing the draft declaration,

1. Takes note of the report of the working group (E/CN.4/1992/53 and Corr.1), and welcomes the submission of the first reading text;

2. Expresses the wish that the working group complete its task and submit the draft declaration to the Commission at its forty-ninth session;

3. Decides to continue at its forty-ninth session its work on the elaboration of the draft declaration;

4. Also decides to make available appropriate meeting time for the working group prior to and during the forty-ninth session of the Commission;

5. Requests the Secretary-General to circulate the report, including the first reading text, to the Governments of all States Members of the United Nations and members of competent specialized agencies, and to interested intergovernmental and non-governmental organizations, with an invitation to submit written comments on the first reading text (E/CN.4/1992/53 and Corr.1, annex I) for consideration by the working group at its next session;

6. Also requests the Secretary-General to undertake a technical review of the text in accordance with the guidelines in the report of the working group (E/CN.4/1992/53 and Corr.1, annex III) and to distribute the results to all States Members of the United Nations and members of competent specialized agencies, to persons chairing the human rights treaty bodies and to interested intergovernmental and non-governmental organizations;

7. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution VII.]

56th meeting
6 March 1992
[Adopted without a vote. See chap. XXI.]

1992/83. Rationalization of the work of the Commission

The Commission on Human Rights,

Recalling its decision 1991/109 of 8 March 1991, in which the Commission decided to discuss the question of restructuring its agenda,

Concerned about the considerable increase in the workload, including the growing number of resolutions adopted by the Commission over the years,

Conscious of the need to make economical use of the time and resources of the Commission,

Realizing that restructuring the agenda of the Commission would not be sufficient per se but should be paralleled with a rationalization of its work, as well as a reduction in the amount of documentation provided to it at each session,

1. Decides to consider the rationalization of its work at the beginning of its forty-ninth session;

2. Affirms that such a comprehensive process could only take place through consultations and on the basis of consensus in the Commission.

57th meeting
6 March 1992
[Adopted without a vote. See chap. III.]

B. Decisions

1992/101. Organization of work

At its 2nd meeting, on 28 January 1992, the Commission decided, without a vote, to invite the following persons to participate in its meetings:

(a) In connection with item 5: Mr. M.L. Balanda, Chairman-Rapporteur of the Ad Hoc Working Group of Experts on Southern Africa;

(b) In connection with item 7: Mr. L. Valencia Rodríguez, Independent Expert on the right to own property;

(c) In connection with item 9: Mr. E. Bernales Ballesteros, Special Rapporteur on mercenaries;

(d) In connection with item 10: Mr. L. Joinet, Chairman-Rapporteur of the Working Group on Arbitrary Detention;

(e) In connection with item 10 (a): Mr. P. Kooijmans, Special Rapporteur on the question of torture;

(f) In connection with item 10 (c): Mr. I. Tosevski, Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances;

(g) In connection with item 12: Mr. F. Ermacora, Special Rapporteur on the situation of human rights in Afghanistan; Mr. R. Galindo Pohl, Special Representative on the situation of human rights in the Islamic Republic of Iran; Mr. J.A. Pastor Ridruejo, Special Representative on the situation of human rights in El Salvador; Mr. R. Rivas Posada, Special Representative on the situation of human rights in Cuba; Mr. M. van der Stoel, Special Rapporteur on the situation of human rights in Iraq; Mr. J. Voyame, Special Rapporteur on the situation of human rights in Romania; Mr. S. Amos Wako, Special Rapporteur on summary or arbitrary executions;

(h) In connection with item 12 (b): Mr. W. Kälin, Special Rapporteur on the situation of human rights in Kuwait under Iraqi occupation;

(i) In connection with item 12 (c): Mr. T. Ramishrili, Chairman of the Working Group on Communications of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and an expert and representative of States in respect of which situations are being considered under item 12 (c);

(j) In connection with item 17: Mr. L. Joinet, Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session;

(k) In connection with item 19: Mr. M.T. Bruni Celli, Independent Expert on the situation of human rights in Haiti; Mr. F. Volio Jiménez, Expert appointed by the Secretary-General on the situation in Equatorial Guinea;

(l) In connection with item 20: Mr. A.V. d'Almeida Ribeiro, Special Rapporteur on the question of religious intolerance;

(m) In connection with item 22 (b): Mr. V. Muntarbhorn, Special Rapporteur on the sale of children;

(n) In connection with Commission on Human Rights resolution 1991/51, "Assistance to Guatemala in the field of human rights": Mr. C. Tomuschat, Independent Expert appointed by the Secretary-General.

[See chap. III.]

1992/102. Situation in Cambodia

At its 37th meeting, on 21 February 1992, the Commission, guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights, recalling its decision 1991/104 of 15 February 1991, General Assembly resolution 46/18 of 20 November 1991, Security Council resolutions 717 (1991) of 16 October 1991, 718 (1991) of 31 October 1991 and 728 (1992) of 8 January 1992, welcoming the signature in Paris on 23 October 1991 of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict (see A/46/608 - S/23177, annex), which provides for an internationally guaranteed comprehensive settlement which would restore peace to the country, convinced that lasting peace and security in Cambodia, and the full enjoyment by its people of all human rights, including the right to self-determination, are dependent on the effective implementation of this agreement, and in particular the holding of free and fair elections, noting the substantive provisions on human rights in the Agreement (articles 15 to 17), aware that the mandate of the United Nations Transitional Authority in Cambodia provides, inter alia, for the development and implementation of a programme of human rights education, for general overseeing of human rights, for the investigation of human rights complaints and, where appropriate, for corrective action, aware also of the provision in the Agreement (article 17) for the Commission to monitor closely the human rights situation in Cambodia after the end of the transitional period, noting that the Centre for Human Rights has begun a programme of human rights information in Cambodia, decided, without a vote:

(a) To welcome the signature of the Paris Agreement on a Comprehensive Political Settlement of the Cambodia Conflict;

(b) To commend all parties and countries that have contributed to the conclusion of the Agreement;

(c) To welcome the fundamental importance given in the provisions of the Agreement to the observance of human rights;

(d) To encourage the Centre for Human Rights to develop its programme of human rights information throughout Cambodia, in coordination with the United Nations Transitional Authority in Cambodia;

(e) To request the Secretary-General to inform the Commission on Human Rights at its forty-ninth session about the human rights activities in Cambodia carried out by the United Nations Transitional Authority in Cambodia and by the Centre for Human Rights;

(f) To keep the situation in Cambodia under review at its forty-ninth session under the same agenda item.

[See chap. IX.]

1992/103. Realization of economic, social and cultural rights

At its 37th meeting, on 21 February 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/27 of 29 August 1991, endorses the request of the Sub-Commission to Mr. Danilo Türk, Special Rapporteur on the realization of economic, social and cultural rights, to prepare his final report, and requests the Secretary-General to provide the Special Rapporteur with all the assistance he may require for the successful completion of his task and to make available to him all relevant information from sources within the United Nations system.

[See chap. VII.]

1992/104. Question of the Palestinian and other Arab territories occupied by Israel

At its 41st meeting, on 25 February 1992, the Commission decided to postpone consideration of draft resolution X, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A), to a later session of the Commission, the year of which would be the subject of consultations and agreement, taking into account the development of the international situation.

[See chap. IV.]

1992/105. Organization of work

At its 45th meeting, on 27 February 1992, the Commission decided, without a vote, to consider the report (E/CN.4/1992/5) of the Independent Expert, Mr. Christian Tomuschat, on the situation of human rights in Guatemala, prepared in accordance with paragraph 11 of Commission resolution 1991/51, under agenda item 19, entitled "Advisory services in the field of human rights".

[See chap. III.]

1992/106. Question of human rights in Cyprus

At its 46th meeting, on 27 February 1992, the Commission decided, without a vote, to postpone the debate under agenda item 12 (a) entitled "Question of human rights in Cyprus" to its forty-ninth session and to give it due priority at that session, it being understood that action required by previous resolutions of the Commission on that subject would continue to remain operative, including the request to the Secretary-General to provide a report to the Commission regarding their implementation.

[See chap. XII.]

1992/107. Question of human rights and states of emergency

At its 48th meeting, on 28 February 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/18 of 28 August 1991 decided, without a vote, to recommend the following draft decision to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. B, draft decision 25.]

[See chap. X.]

1992/108. The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

At its 48th meeting, on 28 February 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/25 of 29 August 1991, decided, without a vote, to endorse the requests of the Sub-Commission: (a) to Mr. Theo van Boven, Special Rapporteur on the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, to prepare a second progress report containing additional information on and an analysis of relevant decisions and views of international human rights organs, as well as information on and an analysis of national law and practice, and (b) to the Secretary-General to provide the Special Rapporteur with all the assistance that he requires to carry out his study.

[See chap. X.]

1992/109. Traditional practices affecting the health of women and children

At its 48th meeting, on 28 February 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/23 of 29 August 1991, decided, without a vote, to approve the recommendations of the Sub-Commission that:

(a) The subject of harmful traditional practices affecting the health of women and children be maintained on the agenda of the Sub-Commission in so far as they constituted violations of human rights within the meaning of the relevant provisions of the International Bill of Human Rights and many other international instruments, in particular the Convention on the Rights of the Child;

(b) The mandate of the Special Rapporteur be extended for two years so as to enable her to submit to the Sub-Commission at its forty-fifth session a plan of action for the elimination of harmful traditional practices affecting the health of women and children, and a report on the regional seminar to take place in Asia;

(c) The Centre for Human Rights provide a full-time Professional staff member to follow up the question of traditional practices affecting the health of women and children and to liaise with Governments, United Nations bodies and regional commissions, non-governmental organizations and other concerned institutions, with special emphasis on gathering data from the many organizations currently working to eliminate harmful traditional practices;

(d) The Centre for Human Rights provide all the assistance that the Special Rapporteur might require in the exercise of the mandate entrusted to her in Sub-Commission resolution 1991/23.

[See chap. XVII.]

1992/110. Human rights and the environment

At its 48th meeting, on 28 February 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/24 of 29 August 1991, decided, by a vote of 50 to 1, with 1 abstention, to endorse the requests of the Sub-Commission: (a) to Ms. Fatma Zohra Ksentini, Special Rapporteur on human rights and the environment, to prepare a progress report on human rights and the environment, and (b) to the Secretary-General to provide the Special Rapporteur with all the assistance she requires for the preparation of her study, as well as the necessary assistance to compile and analyse the information and documents collected.

[See chap. XVII.]

1992/111. Study on treaties, agreements and other constructive arrangements between States and indigenous populations

At its 48th meeting, on 28 February 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities decision 1991/111 of 29 August 1991, decided, without a vote, to endorse the requests of the Sub-Commission: (a) to Mr. Miguel Alfonso Martínez to prepare a progress report on treaties, agreements and other constructive arrangements between States and indigenous populations for submission to the Working Group on Indigenous Populations at its tenth session and to the Sub-Commission at its forty-fourth session, and (b) to the Secretary-General to give the Special Rapporteur all the assistance necessary to allow him to continue his work, in particular to provide for a second study trip to the Archivo de Indias in Seville, Spain, the specialized research assistance required, as provided for in previous resolutions adopted on this matter, and the necessary trips to Geneva for consultations at the Centre for Human Rights.

[See chap. XVII.]

1992/112. Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities

At its 52nd meeting, on 3 March 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/22 of 28 August 1991, decided, without a vote, to approve the requests of the Sub-Commission that:

(a) The Secretary-General prepare, with the cooperation of the Special Rapporteur of the Sub-Commission, the technical meeting of experts on minorities provided for in Commission resolution 1991/62, of 6 March 1991, with a view to it taking place in 1992;

(b) The Special Rapporteur continue consultations with States, which may also include visits to countries at the invitation of Governments, in order to gather first-hand information and to submit a progress report on his study;

(c) The Secretary-General give the Special Rapporteur all the assistance he may require to carry out his work successfully.

[See chap. XVIII.]

1992/113. Economic and social relations between indigenous peoples and States

At its 52nd meeting on 3 March 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/31 of 29 August 1991, decided, without a vote, to recommend the following draft decision to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. B, draft decision 31.]

[See chap. XVII.]

1992/114. Ownership and control of the cultural property of indigenous peoples

At its 52nd meeting on 3 March 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/32 of 29 August 1991, decided, without a vote (a) to recommend to the Economic and Social Council that it endorse the appointment of Ms. Erica-Irene A. Daes as Special Rapporteur of the Sub-Commission to prepare a study of measures which should be taken by the international community to strengthen respect for the cultural property of indigenous peoples, to be submitted to the Sub-Commission at its forty-fifth session in 1993, and (b) to request the Secretary-General to provide the Special Rapporteur with all the assistance she may require for the completion of this task.

[See chap. XVII.]

1992/115. Working Group on Contemporary Forms of Slavery

At its 52nd meeting on 3 March 1992, the Commission, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/34 of 29 August 1991, decided to approve the requests of the Sub-Commission to the Secretary-General:

(a) To send a representative of the Centre for Human Rights to participate in a Council of Europe seminar on trafficking in persons and prostitution, at Strasbourg from 25 to 27 September 1991, and to report on the results of this seminar to the Working Group on Contemporary Forms of Slavery at its seventeenth session;

(b) To reassign to the Working Group a full-time Professional staff member of the Centre for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside of the Centre for Human Rights on issues relating to contemporary forms of slavery, to prepare documentation well in advance, to facilitate the representation at the sessions of the Working Group of the largest possible number of intergovernmental and non-governmental organizations with competence in the fields examined, and to report on the measures taken for this purpose to the Commission at its forty-ninth session and to the Working Group at its seventeenth session;

(c) To designate the Centre for Human Rights as the focal point for the coordination of activities in the United Nations for the suppression of contemporary forms of slavery and report on the measures taken for this purpose to the Commission at its forty-ninth session and to the Working Group at its seventeenth session;

(d) To examine the possibility of organizing the sessions of the Working Group for eight working days during the month of April or May, in order to avoid overlapping with meetings of other working groups of the Sub-Commission and the burden this places on the Centre for Human Rights, and in view of the impossibility for representatives of Governments and non-governmental organizations to attend simultaneous sessions.

[See chap. XVII.]

1992/116. Situation in China/Tibet

At its 54th meeting, on 4 March 1992, the Commission decided, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, by a roll-call vote of 27 to 15, with 10 abstentions, to take no decision on draft resolution E/CN.4/1992/L.49/Rev.1.

[See chap. XII.]

1992/117. Approval by the Economic and Social Council of decisions of the Commission

At its 56th meeting, on 5 March 1992, the Commission, noting that the 1992 calendar of the Economic and Social Council has been reorganized, with the previous spring and summer sessions combined in a single session to be held from 29 June to 31 July 1992, and bearing in mind that the mandates of working groups and special rapporteurs/representatives extended or established by the Commission at its current session have to be specifically approved by the Council and that such approval should be given at the earliest possible opportunity, decided, without a vote, to request the Economic and Social Council to bring forward as much as possible its consideration of draft decisions emanating from the Commission at its current session and relating to mandates which require the approval of the Council, in order to allow for their timely and effective implementation.

[See chap. III.]

1992/118. Expression of thanks to Mr. Jan Martenson, Under-Secretary-General for Human Rights, for his services

At its 57th meeting, on 6 March 1992, the Commission decided, by acclamation, to express to Mr. Jan Martenson its gratitude for his excellent services to the Commission and for his dedication to the cause of human rights.

[See chap. III.]

1992/119. Organization of the work of the forty-ninth session

At its 57th meeting, on 6 March 1992, the Commission, taking into account its heavy schedule of work and that of its sessional working groups, as well as the need to give adequate consideration to all the items on the agenda, and recalling that in previous years the Economic and Social Council had approved the Commission's request for additional meetings for its thirty-seventh to forty-eighth sessions, decided, without a vote: (a) to recommend to the Economic and Social Council that it authorize, if possible within existing financial resources, forty fully-serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council, for the Commission's forty-ninth session, and (b) to request the Chairman of the Commission at its forty-ninth session to make every effort to organize the work of the session within the time normally allotted, the additional meetings that the Economic and Social Council might authorize to be utilized only if such meetings proved to be absolutely necessary.

[See chap. III.]

III. ORGANIZATION OF THE SESSION

A. Opening and duration of the session

1. The Commission on Human Rights held its forty-eighth session at the United Nations Office at Geneva from 27 January to 6 March 1992. It held 57 meetings (E/CN.4/1992/SR.1-57) 2/ during the session.

2. The session was opened by Mr. Enrique Bernales Ballesteros (Peru), Chairman of the Commission at its forty-seventh session, who made a statement. The Under-Secretary-General for Human Rights also addressed the Commission at its 1st meeting.

B. Attendance

3. The session was attended by representatives of States members of the Commission, by observers from other States Members of the United Nations, by observers from non-member States and by representatives of the specialized agencies, regional intergovernmental organizations, national liberation movements and non-governmental organizations. An attendance list is given in annex I to the present report.

C. Election of officers

4. At its 1st meeting, on 27 January 1992, the Commission elected the following officers by acclamation:

Chairman:	Mr. Pál Solt (Hungary)
Vice-Chairmen:	Mr. Ronald Alfred Walker (Australia) Mr. Sirous Nasseri (Islamic Republic of Iran) Mr. Mohamed Ennaceur (Tunisia)
Rapporteur:	Mrs. Ligia Galvis (Colombia)

D. Agenda

5. Also at its 1st meeting, the Commission had before it the provisional agenda for the forty-eighth session (E/CN.4/1992/1 and Add.1 and 2), drawn up, in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, on the basis of the draft provisional agenda considered by the Commission at its forty-seventh session in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII).

6. At the same meeting, the representative of Senegal made a statement regarding the adoption of the provisional agenda.

7. The agenda was adopted without a vote. For the text of the agenda as adopted, see annex II to the present report.

E. Organization of work

8. At its 2nd meeting, on 28 January 1992, the Commission considered the organization of its work.

9. Bearing in mind the respective priority of the items and availability of the relevant documentation, the Commission accepted the recommendation of its officers that the following agenda items should be considered concurrently: items 4 and 9; items 5, 6 and 14; and items 7, 8, 15 and 16. The Commission further agreed to consider the agenda items in the following order: 4, 9; 5, 6, 14; 7, 8, 15, 16; 18; 20; 10; 17; 24; 11; 12 (c); 12; 22; 19; 23; 13; 21; 25; and 26.

10. The Commission approved an additional meeting for the Working Group on the Declaration on the protection of all persons from enforced disappearance, and also approved two additional meetings for the open-ended working group on the drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

11. Also at its 2nd meeting, the Commission accepted the recommendation of its officers regarding the limitation of the frequency and duration of statements. Members of the Commission were limited to one statement of 15 minutes or two statements of 10 minutes per item. Observers and non-governmental organizations were limited to one statement of 10 minutes per item. It was also agreed that, with regard to rights of reply, the practice followed by the Third Committee of the General Assembly, namely a limitation of two replies, five minutes for the first and three minutes for the second, would be observed.

12. At the same meeting, upon the recommendation of its officers, the Commission decided to invite a number of experts, special rapporteurs, special representatives and chairman-rapporteurs of working groups to participate in the meetings at which their reports were to be considered.

13. For the text of the decision as adopted, see chapter II, section B, decision 1992/101.

14. At the same meeting, with respect to its resolution 1991/51, "Assistance to Guatemala in the field of human rights", the Commission accepted the recommendation of its officers to postpone the decision as to the item under which the question would be considered.

15. At the 45th meeting, on 27 February 1992, the Commission resumed discussion as to the item under which the question of Guatemala should be considered.

16. At the same meeting, the Commission decided, without a vote, to consider this question under agenda item 19.

17. For the text as adopted, see chapter II, section B, decision 1992/105.

18. At the 56th meeting, on 5 March 1992, draft decision E/CN.4/1992/L.88, submitted by the Chairman, was adopted without a vote.

19. For the text as adopted, see chapter II, section B, decision 1992/117.

20. At the 57th meeting, on 6 March 1992, the Chairman orally proposed a draft decision concerning the organization of work for the forty-ninth session of the Commission.

21. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of the draft decision.

22. The draft decision was adopted without a vote.

23. For the text as adopted, see chapter II, section B, decision 1992/119.

24. At the same meeting, the Chairman orally proposed a draft resolution concerning the rationalization of the work of the Commission.

25. The draft resolution was adopted without a vote.

26. For the text as adopted, see chapter II, section A, resolution 1992/83.

F. Meetings, resolutions and documentation

27. Of the 57 meetings held by the Commission, 15 were extended to the equivalent of 16 additional meetings. The working groups established by the Commission also held meetings, these were equivalent to 2 additional meetings.

28. The resolutions and decisions adopted by the Commission at its forty-eighth session are contained in chapter II of the present report. Draft resolutions and decisions for action by the Economic and Social Council are set out in chapter I.

29. Annex III contains an explanation of the administrative and programme budget implications of resolutions and decisions of the Commission, in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

30. Annex IV contains a list of documents issued for the forty-eighth session of the Commission.

G. Visits

31. At the 3rd meeting, on 29 January 1992, the Deputy Minister for Foreign Affairs of Portugal, Mr. Duarte Ivo Cruz, addressed the Commission.

32. At the 5th meeting, on 30 January 1992, the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, Mr. Mark Lennox-Boyd, addressed the Commission. At the same meeting, the representative of Iraq made a statement in exercise of the right of reply. At the 6th meeting, on 30 January 1992, the representative of the United Kingdom of Great Britain and Northern Ireland made a statement in exercise of the right of reply to the statement by the representative of Iraq.

33. At the 8th meeting, on 31 January 1992, the Prime Minister of the Somali Democratic Republic, Mr. Omer Arteh Ghalib, addressed the Commission.

34. At the 10th meeting, on 3 February 1992, the Secretary of State for Humanitarian Affairs of France, Mr. Bernard Kouchner, addressed the Commission.

35. At the 11th meeting, on 4 February 1992, the Chairman of the Supreme Soviet of the Republic of Belarus, Mr. Stanislav S. Shushkevich, addressed the Commission.

36. At the 12th meeting, on 4 February 1992, the Secretary-General of the Commonwealth Secretariat, Mr. Emeka Anyaoku, addressed the Commission.

37. At the 14th meeting, on 5 February 1992, the Secretary-General for Foreign Affairs of Brazil, Mr. Marcos Castrioto de Azambuja, addressed the Commission.

38. At the 15th meeting, on 6 February 1992, the Minister for Foreign Affairs of Tunisia, Mr. Habib Ben Yahia, addressed the Commission.

39. At the 16th meeting, on 6 February 1992, the Vice-Minister for Youth, Sport, the Arts and Culture, in charge of human rights and women's issues, of the Gabonese Republic, Mrs. Yolande Bike, addressed the Commission.

40. At the 19th meeting, on 10 February 1992, the Vice President of the United States of America, Mr. Dan Quayle, addressed the Commission. At the same meeting, statements in exercise of the right of reply or its equivalent were made by the representatives of Cuba, the Islamic Republic of Iran and Iraq and by the observer for Palestine.

41. At the 20th meeting, on 10 February 1992, the Secretary-General for Foreign Affairs of Austria, Mr. Thomas Klestil, addressed the Commission.

42. At the 23rd meeting, on 12 February 1992, the Chairman of the African Commission on Human and Peoples' Rights, Mr. Ibrahim Badawi, addressed the Commission.

43. At the 24th meeting, on 12 February 1992, the Minister for Foreign Affairs of the Russian Federation, Mr. Andrei Kozyrev, addressed the Commission.

44. At the 25th meeting, on 13 February 1992, the Chairman of the Executive Committee of the Palestine Liberation Organization, Mr. Yasser Arafat, addressed the Commission.

45. At the 26th meeting, on 13 February 1992, the Minister for Foreign Affairs of Uruguay, Mr. Héctor Gros Espiell, addressed the Commission.

46. At the 29th meeting, on 17 February 1992, the Minister for Foreign Affairs of Peru, Mr. Augusto Blacker Miller, addressed the Commission.

47. At the same meeting, the Chief Justice of the Republic of the Sudan, Mr. Galal Ali Lutfi, addressed the Commission.

48. At the 30th meeting, on 17 February 1992, the President of the Swiss Confederation and Head of the Federal Department for Foreign Affairs, Mr. René Felber, addressed the Commission.

49. At the 33rd meeting, on 19 February 1992, the Minister for Foreign Affairs of Costa Rica, Mr. Bernd Niehaus, addressed the Commission. At the 34th meeting, on the same day, the representative of Cuba made a statement in exercise of the right of reply.

50. Also at the 33rd meeting, the Minister of Justice of Rwanda, Mr. Matthieu Ngirumpatse, addressed the Commission.

51. At the 35th meeting, on 20 February 1992, the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata, addressed the Commission.

52. At the 42nd meeting, on 25 February 1992, the Director-General of the United Nations Educational, Scientific and Cultural Organization, Mr. Federico Mayor, addressed the Commission.

53. At the 44th meeting, on 26 February 1992, the Member of the Council of State of the Republic of Cuba and Chairperson of the Commission on the Affairs of Women, Young People and Children of the National Assembly of People's Power, Mrs. Vilma Espín de Castro, addressed the Commission.

54. At the 45th meeting, on 27 February 1992, the Secretary of State for Social Promotion, Ministry of Social Affairs of Tunisia, Mrs. Nebiha Gueddana, addressed the Commission.

55. At the same meeting, the President of the Republic of Haiti, Mr. Jean-Bertrand Aristide, addressed the Commission.

56. Also at the 45th meeting, the Under-Secretary of State for Foreign Affairs of the Republic of Poland, Mr. Andrzej Kostarczyk, addressed the Commission.

H. Other matters

57. At the 57th meeting, on 6 March 1992, the representative of Austria orally proposed a draft decision expressing the gratitude of the Commission to Mr. Jan Martenson, the Under-Secretary-General for Human Rights, for his services rendered to it.

58. The draft decision was adopted by acclamation.

59. For the text as adopted, see chapter II, section B, decision 1992/118.

IV. QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

60. The Commission considered agenda item 4 at its 2nd meeting, on 28 January; it continued its consideration of the item, concurrently with item 9 (see chap. IX), at its 3rd to 7th meetings, from 29 to 31 January, and at its 27th and 41st meetings, on 14 and 25 February 1992. 2/

61. The Commission had before it the following documents:

Reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: note by the Secretary-General (in pursuance of General Assembly resolution 45/74 A) (A/46/65, A/46/282, A/46/522);

Report of the Secretary-General (E/CN.4/1992/6);

Note by the Secretary-General (E/CN.4/1992/7);

Letter dated 6 January 1992 from the Permanent Observer for Palestine to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/66);

Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/29).

62. In the general debate on item 4, statements 3/ were made by the following members of the Commission: Argentina (6th), Australia (3rd), Austria (3rd), Bangladesh (6th), Brazil (6th), Canada (6th), China (4th), Cuba (4th), Cyprus (4th), Gambia (5th), Hungary (6th), India (4th), Indonesia (5th), Iran (Islamic Republic of) (4th), Japan (6th), Libyan Arab Jamahiriya (6th), Mauritania (5th), Nigeria (3rd), Portugal (on behalf of the European Community and its member States) (4th), Russian Federation (6th), Senegal (3rd), Sri Lanka (6th), Syrian Arab Republic (3rd), United States of America (3rd).

63. The Commission also heard statements by the observers for: Algeria (5th), Egypt (4th), Israel (2nd), Jordan (2nd), Morocco (2nd), Oman (5th), Sudan (7th), Sweden (7th), Turkey (7th), United Arab Emirates (7th).

64. The observer for Palestine made a statement (2nd).

65. The Commission also heard statements from the following non-governmental organizations: Amnesty International (3rd), Arab Lawyers Union (2nd), Arab Organization for Human Rights (2nd), International Commission of Jurists (5th), International League for the Rights and Liberation of Peoples (5th), Pax Christi (3rd), Women's International League for Peace and Freedom (5th), World Confederation of Labour (7th), World Muslim Congress (7th).

66. At its 27th meeting, on 14 February 1992, the Commission took up consideration of the draft resolutions submitted under agenda item 4.

67. The representative of the Syrian Arab Republic introduced draft resolution E/CN.4/1992/L.2, sponsored by Algeria*, Bahrain*, Bangladesh, Cuba, Egypt*, India, Indonesia, Iraq, the Islamic Republic of Iran, Jordan*, Kuwait*, Lebanon*, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*, Senegal, Somalia, the Sudan*, the Syrian Arab Republic, Tunisia, the United Arab Emirates*, Yemen*, Yugoslavia and Zimbabwe*. Afghanistan* and Angola subsequently joined the sponsors.

68. At the request of the representatives of the Syrian Arab Republic and the United States of America, a roll-call vote was taken on the draft resolution.

69. A statement in explanation of vote before the vote was made by the representative of the United States of America.

70. The draft resolution was adopted by 31 votes to 1, with 17 abstentions. The voting was as follows:

In favour: Angola, Argentina, Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Australia, Austria, Bulgaria, Canada, Chile, Costa Rica, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, Uruguay.

71. Statements in explanation of vote after the vote were made by the representatives of Brazil, Japan, Peru, Portugal (on behalf of the member States of the European Community that are members of the Commission), the Russian Federation and Venezuela.

72. The representative of Zambia subsequently indicated that, had he been present at the voting, he would have voted in favour of the draft resolution, and that Zambia would have joined the sponsors.

73. For the text as adopted, see chapter II, section A, resolution 1992/1.

74. At the same meeting, the representative of Cuba introduced two draft resolutions A and B (E/CN.4/1992/L.3), sponsored by Algeria*, Bangladesh, Burundi, China, Cuba, Ghana, India, Indonesia, Iraq, Jordan*, Madagascar, Mauritania, Oman*, Pakistan, Saudi Arabia*, Senegal, Somalia, the Sudan*, the Syrian Arab Republic, Tunisia and the United Arab Emirates*. Afghanistan*, Cyprus, Gabon, the Islamic Republic of Iran, Morocco* and Sri Lanka subsequently joined the sponsors.

75. At the request of the representatives of Cuba and the United States of America, a roll-call vote was taken on draft resolution A.

76. Statements in explanation of vote before the vote were made by the representatives of the United States of America and Uruguay.

77. Draft resolution A was adopted by 30 votes to 16, with 3 abstentions. The voting was as follows:

In favour: Angola, Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia.

Against: Australia, Bulgaria, Canada, Costa Rica, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Argentina, Austria, Chile.

78. Statements in explanation of vote after the vote were made by the representatives of Brazil, Bulgaria, Canada, Japan, Peru, Portugal (on behalf of the member States of the European Community that are members of the Commission), the Russian Federation and Venezuela.

79. The representative of Zambia subsequently indicated that, had he been present at the voting, he would have voted in favour of the draft resolution, and that Zambia would have joined the sponsors.

80. For the text as adopted, see chapter II, section A, resolution 1992/2 A.

81. At the request of the representatives of Cuba and the United States of America, a roll-call vote was taken on draft resolution B.

82. Statements in explanation of vote before the vote were made by the representatives of the United States of America and Uruguay.

83. Draft resolution B was adopted by 31 votes to 1, with 17 abstentions. The voting was as follows:

In favour: Angola, Argentina, Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Australia, Austria, Bulgaria, Canada, Chile, Costa Rica, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, Uruguay.

84. Statements in explanation of vote after the vote were made by the representatives of Brazil, Canada, Japan, Peru, Portugal (on behalf of the member States of the European Community that are members of the Commission), the Russian Federation and Venezuela.

85. The representative of Zambia subsequently indicated that had he been present at the voting, he would have voted in favour of the draft resolution, and that Zambia would have joined the sponsors.

86. After the adoption of resolutions 1992/2 A and B, the observer for Palestine made a statement relating to them.

87. For the text as adopted, see chapter II, section A, resolution 1992/2 B.

88. Also at the same meeting, the representative of Portugal introduced draft resolution E/CN.4/1992/L.5, sponsored by Australia, Austria, Bangladesh, Belgium*, Colombia, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Egypt*, Finland*, France, Germany, Greece*, Hungary, Iceland*, Ireland*, Italy, Japan, Lebanon*, Luxembourg*, Morocco*, the Netherlands, New Zealand*, Norway*, Portugal, the Russian Federation, Spain*, Sweden*, Switzerland*, Turkey*, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia. Afghanistan*, Albania*, India and Jordan* subsequently joined the sponsors.

89. At the request of the representative of the United States of America, a vote was taken on draft resolution E/CN.4/1992/L.5.

90. The representative of the United States of America made a statement in explanation of vote before the vote.

91. The draft resolution was adopted by 45 to none, with 1 abstention.

92. Statements in explanation of vote after the vote were made by the representatives of Brazil and the Russian Federation.

93. The representative of Zambia subsequently indicated that, had he been present at the voting, he would have voted in favour of the draft resolution, and that Zambia would have joined the sponsors.

94. For the text as adopted, see chapter II, section A, resolution 1992/3.

95. At the 41st meeting, on 25 February 1992, the Chairman orally proposed to postpone consideration of draft resolution X, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (See E/CN.4/1992/2, chapter I, section A), to a later session of the Commission, the year of which would be the subject of consultations and agreement, taking into account the development of the international situation.

96. The proposal of the Chairman was adopted without a vote.

97. For the text as adopted, see chapter II, section B, decision 1992/104.

V. VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS

98. The Commission considered agenda item 5 concurrently with items 6 and 14 (see chaps. VI and XIV) at its 7th to 12th meetings, from 31 January to 4 February, and at its 47th meeting, on 28 February 1992. 2/

99. The Commission had before it the following documents:

Note by the Secretary-General (A/46/401);

Interim report of the Ad Hoc Working Group of Experts on Southern Africa, prepared in accordance with Commission resolutions 1991/8 and 1991/21 and Economic and Social Council decision 1991/237 (E/CN.4/1992/8).

100. At the 7th meeting, on 31 January 1992, Mr. Felix Ermacora, Vice-Chairman of the Ad Hoc Working Group of Experts on Southern Africa, introduced the interim report of the Working Group (E/CN.4/1992/8), in the absence of the Chairman-Rapporteur, Mr. Mikuin Leliel Balanda.

101. In the general debate on item 5, statements 3/ were made by the following members of the Commission: Argentina (12th), Australia (10th), Austria (10th), Bangladesh (11th), Brazil (10th), Canada (12th), China (10th), Cuba (12th), Cyprus (11th), Gambia (9th), Ghana (8th), Hungary (11th), India (12th), Indonesia (12th), Iran (Islamic Republic of) (10th), Japan (11th), Libyan Arab Jamahiriya (12th), Mauritania (10th), Mexico (9th), Nigeria (10th), Peru (7th), Portugal (on behalf of the European Community and its member States) (9th), Russian Federation (10th), Senegal (12th), Syrian Arab Republic (10th), United States of America (9th), Yugoslavia (11th), Zambia (12th).

102. The Commission also heard statements by the observers for: Algeria (12th), Egypt (9th), Finland (on behalf of Denmark, Finland, Iceland, Norway and Sweden) (10th), Morocco (10th), Sudan (12th), United Republic of Tanzania (12th).

103. The representative of the International Labour Organisation made a statement (10th).

104. The observer for the Pan Africanist Congress of Azania made a statement (8th).

105. The Commission also heard statements from the following non-governmental organizations: Amnesty International (7th), International Confederation of Free Trade Unions (8th), International Movement for Fraternal Union among Races and Peoples (11th), World Confederation of Labour (8th), World Federation of Trade Unions (11th).

106. At its 47th meeting, on 28 February 1992, the Commission took up consideration of draft resolution E/CN.4/1992/L.26, submitted under agenda item 5.

107. The observer for the United Republic of Tanzania introduced draft resolution E/CN.4/1992/L.26, sponsored by Algeria*, Angola, Burundi, Cuba, Egypt*, Ethiopia*, Gabon, Ghana, Kenya, Lesotho, the Libyan Arab Jamahiriya, Nigeria, Senegal, the Sudan, Tunisia, the United Republic of Tanzania*, Zambia and Zimbabwe*. China subsequently joined the sponsors.

108. A statement in explanation of his delegation's position was made by the representative of the United States of America.

109. The draft resolution was adopted without a vote.

110. For the text as adopted, see chapter II, section A, resolution 1992/19.

VI. ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME IN SOUTH AFRICA

111. The Commission considered agenda item 6 concurrently with items 5 and 14 (see chaps. V and XIV) at its 7th to 12th meetings, from 31 January to 4 February, and at its 37th and 47th meetings, on 21 and 28 February 1992. 2/

112. The Commission had before it an updated report on banks, transnational corporations and other organizations assisting the racist regime of South Africa, prepared by Mr. A.M. Khalifa, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1991/13 and Add.1).

113. In the general debate on item 6, statements 3/ were made by the following members of the Commission: Argentina (12th), Australia (10th), Austria (10th), Bangladesh (11th), Brazil (10th), China (10th), Cuba (12th), Cyprus (11th), Gambia (9th), Hungary (11th), India (12th), Indonesia (12th), Iran (Islamic Republic of) (10th), Japan (11th), Libyan Arab Jamahiriya (12th), Mauritania (10th), Mexico (9th), Nigeria (10th), Peru (7th), Russian Federation (10th), Senegal (12th), Syrian Arab Republic (10th), United States of America (9th), Yugoslavia (11th), Zambia (12th).

114. The Commission also heard statements by the observers for: Algeria (12th), Eygpt (9th), Ethiopia (11th), Finland (on behalf of Denmark, Finland, Iceland, Norway and Sweden) (10th), Morocco (10th), Sudan (12th), Turkey (10th), United Republic of Tanzania (12th).

115. The representative of the International Labour Organisation made a statement (10th).

116. The observer for the Pan Africanist Congress of Azania made a statement (8th).

117. The Commission also heard statements by the following non-governmental organizations: International Association against Torture (11th), International Confederation of Free Trade Unions (8th), International Movement for Fraternal Union among Races and Peoples (11th), World Confederation of Labour (8th), World Federation of Trade Unions (11th).

118. At its 37th meeting, on 21 February 1992, the Commission took up consideration of the draft resolutions submitted under item 6.

119. The Commission had before it draft resolution I recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

120. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution I. The draft resolution was adopted by 33 votes to 14, with 5 abstentions. The voting was as follows:

In favour: Angola, Bangladesh, Barbados, Brazil, Burundi, Chile, China, Colombia, Cuba, Cyprus, Gabon, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia, Zambia.

Against: Australia, Austria, Bulgaria, Canada, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Costa Rica, Madagascar, Russian Federation, Uruguay.

121. Statements in explanation of vote after the vote were made by the representatives of Brazil, Chile, the Russian Federation and the United States of America.

122. For the text as adopted, see chapter II, section A, resolution 1992/7.

123. At the 47th meeting, on 28 February 1992, the observer for Egypt introduced draft resolution E/CN.4/1992/L.23, sponsored by Afghanistan*, Algeria*, Angola, Bangladesh, Burundi, Cameroon*, Cuba, Egypt*, Gabon, Ghana, India, Indonesia, Kenya, Kuwait*, Lesotho, the Libyan Arab Jamahiriya, Mauritania, Nigeria, Pakistan, Rwanda*, Senegal, Somalia, the Sudan*, the Syrian Arab Republic, Tunisia, the United Republic of Tanzania*, Zambia, and Zimbabwe*. The Gambia and the Islamic Republic of Iran subsequently joined the sponsors.

124. The Chairman announced that a request for a vote was made by the member States of the Western European and Other States Group.

125. At the request of the representative of Ghana, a roll-call vote was taken on draft resolution E/CN.4/1992/L.23. The draft resolution was adopted by 35 votes to 15 with 3 abstentions. The voting was as follows:

In favour: Angola, Bangladesh, Barbados, Brazil, Burundi, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Gabon, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia, Zambia.

Against: Australia, Austria, Bulgaria, Canada, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Madagascar, Uruguay.

126. Statements in explanation of vote after the vote were made by the representatives of Brazil and Chile.

127. For the text as adopted, see chapter II, section A, resolution 1992/20.

VII. QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING: PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DELCARATION ON THE RIGHT TO DEVELOPMENT

128. The Commission considered agenda item 7 concurrently with items 8, 15 and 16 (see chaps. VIII, XV and XVI) at its 12th to 16th meetings, from 4 to 6 February and at its 37th and 47th meetings, on 21 and 28 February 1992. 2/

129. The Commission had before it the following documents:

Preliminary report on the means whereby the right of everyone to own property alone as well as in association with others fosters, strengthens and enhances the exercise of other human rights and fundamental freedoms, prepared by Mr. Luis Valencia Rodríquez, Independent Expert appointed in accordance with Commission resolution 1991/19 (E/CN.4/1992/9);

Letters dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/71, E/CN.4/1992/72);

Letter dated 10 February 1992 from the Ambassador of Papua New Guinea to Belgium and the European Communities addressed to the Chairman of the Commission (E/CN.4/1992/76);

Note verbale dated 15 January 1992 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1992/77);

Second progress report prepared by Mr. Danilo Türk, Special Rapporteur of the Sub-Commission on the realization of economic, social and cultural rights (E/CN.4/Sub.2/1991/17);

Written statement submitted by the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, a non-governmental organization on the Roster (E/CN.4/1992/NGO/3);

Written statement submitted by the International Movement ATD Fourth World, a non-governmental organization in consultative status (category I) (E/CN.4/1992/NGO/8);

Written statement submitted by the Women's International Democratic Federation and the World Federation of Trade Unions, non-governmental organizations in consultative status (category I); the American

Association of Jurists, the International Association of Democratic Lawyers, the International Indian Treaty Council, the International League for the Rights and Liberation of Peoples, the Latin American Federation of Associations of Relatives of Disappeared Detainees, Pax Romana, Service, Peace and Justice in Latin America, the Women's International League for Peace and Freedom and the World Student Christian Federation, non-governmental organizations in consultative status (category II); and the Movement against Racism and for Friendship among Peoples and the International Peace Bureau, non-governmental organizations on the Roster (E/CN.4/1992/NGO/12);

Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/16);

Written statement submitted by the International Alliance of Women, the International Movement ATD Fourth World, the International Social Security Association, the International Union of Family Organizations, Soroptimist International, the World Federation of Trade Unions and Zonta International, non-governmental organizations in consultative status (category I); the Associated Country Women of the World, Caritas Internationalis, the International Abolitionist Federation, the International Catholic Child Bureau, the International Council of Jewish Women, the International Federation of Social Workers, the International Federation of Women in Legal Careers, the International Federation of Women Lawyers, the International Federation Terre des Hommes, the International Fellowship of Reconciliation, the International Movement for Fraternal Union among Races and Peoples, Pax Christi, World Federation of Methodist Women, World Movement of Mothers and the World Union of Catholic Women's Organizations, non-governmental organizations in consultative status (category II); the Centre Europe - Tiers Monde, the International Movement for the Apostolate of Children and the Movement against Racism and for Friendship among Peoples, non-governmental organizations on the Roster; together with the Arab Institute for Human Rights, the International Association of Workers for Troubled Children and Youth, the Popular Movement of Families, the Tunisian League for Human Rights and the University of Keele (E/CN.4/1992/NGO/33);

Written statement submitted by International Educational Development, Inc., a non-governmental organization on the Roster (E/CN.4/1992/NGO/39).

130. In the general debate on item 7, statements 3/ were made by the following members of the Commission: Argentina (14th), Australia (15th), Austria (15th), Brazil (16th), Burundi (13th), Canada (16th), Chile (16th), Colombia (13th), Cuba (16th), Cyprus (16th), France (15th), India (16th), Indonesia (16th), Iraq (16th), Italy (15th), Kenya (14th), Madagascar (15th), Mauritania (16th), Mexico (16th), Netherlands (16th), Nigeria (16th), Peru (14th), Philippines (16th), Russian Federation (15th), Senegal (14th), Sri Lanka (16th), United Kingdom of Great Britain and Northern Ireland (16th), United States of America (13th), Yugoslavia (16th), Zambia (16th).

131. The Commission also heard statements by the observers for: Ecuador (12th), Morocco (14th), Rwanda (16th), Sao Tome and Principe (13th).

132. The representative of the International Labour Organisation made a statement (16th).

133. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (16th), Centre Europe - Tiers Monde (13th), Christian Democratic International (16th), Commission for the Defence of Human Rights in Central America (13th), Human Rights Advocates (13th), International Association against Torture (16th), International Commission of Jurists (16th), International Confederation of Free Trade Unions (14th), International Federation Terre des Hommes (14th), International Fellowship of Reconciliation (14th), International League for the Rights and Liberation of Peoples (15th), International Movement ATD Fourth World (13th), International Movement for Fraternal Union among Races and Peoples (16th), International Organization for the Development of Freedom of Education (13th), International Work Group for Indigenous Affairs (14th), International Youth and Student Movement for the United Nations (15th), Latin American Federation of Associations of Relatives of Disappeared Detainees (15th), Minority Rights Group (16th), Movement against Racism and for Friendship among Peoples (16th), Pax Romana (16th), Union of Arab Jurists (16th), World Organization against Torture (13th), World Social Prospects Association (15th), World University Service (15th).

134. Statements in exercise of the right of reply or its equivalent were made by the representatives of Bangladesh (18th), Burundi (15th) and China (16th) and by the observer for Bolivia (16th).

135. At its 37th meeting, on 21 February 1992, the Commission took up consideration of the draft resolutions and decisions submitted under item 7.

136. The representative of Cuba introduced draft resolution E/CN.4/1992/L.13, sponsored by Colombia, Costa Rica, Cuba, Cyprus, Ecuador*, Ghana, Kenya, Lesotho, Madagascar, Mexico, Nigeria, Peru, the Philippines, Sao Tome and Principe*, Somalia, Venezuela, Viet Nam*, Yugoslavia and Zambia. Algeria*, the Islamic Republic of Iran and Senegal subsequently joined the sponsors.

137. In introducing the draft resolution, the representative of Cuba orally revised the text deleting in the tenth preambular paragraph the words "_inter alia_, on the growth of crime and on the difficulty of guaranteeing conditions that will permit speedy and adequate administration of justice" and adding the words "of a social nature" after the word "effects,".

138. The representative of the United States of America requested a vote on the draft resolution.

139. At the request of the representative of Cuba, a roll-call vote was taken on draft resolution E/CN.4/1992/L.13. The draft resolution, as orally revised, was adopted by 43 votes to 2, with 7 abstentions. The voting was as follows:

In favour: Angola, Argentina, Australia, Austria, Bangladesh, Barbados, Brazil, Burundi, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, France, Gabon, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Portugal, Russian Federation, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: Japan, United States of America.

Abstaining: Bulgaria, Canada, Czech and Slovak Federal Republic, Germany, Hungary, Netherlands, United Kingdom of Great Britain and Northern Ireland.

140. Statements in explanation of vote after the vote were made by the representatives of Japan, the Russian Federation and the United States of America.

141. For the text as adopted, see chapter II, section A, resolution 1992/9.

142. At the same meeting, the representative of Portugal introduced draft resolution E/CN.4/1992/L.14, sponsored by Australia, Austria, Belgium*, Bulgaria, Colombia, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Egypt*, Finland*, France, Hungary, the Netherlands, Norway*, Peru, the Philippines, Portugal, the Russian Federation, Senegal, Spain*, Sweden* and Switzerland*. Madagascar, Sao Tome and Principe* and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

143. A statement in explanation of his delegation's position was made by the representative of the United States of America.

144. The draft resolution was adopted without a vote.

145. A statement in explanation of his delegation's position was made by the representative of the Russian Federation.

146. For the text as adopted, see chapter II, section A, resolution 1992/10.

147. At the same meeting, the representative of France introduced draft resolution E/CN.4/1992/L.17, sponsored by Australia, Belgium*, Chile, Colombia, the Czech and Slovak Federal Republic, Egypt*, Finland*, France, Gabon, Greece*, Honduras*, Ireland*, Italy, Kenya, Madagascar, Peru, the Philippines, Portugal, the Russian Federation, Rwanda*, Senegal, Spain*, Switzerland*, the Syrian Arab Republic and Venezuela. Argentina, Burundi, Cuba, Ecuador*, Lesotho, Nicaragua*, Nigeria and Sao Tome and Principe* subsequently joined the sponsors.

148. In introducing the draft resolution, the representative of France orally revised operative paragraph 3 by adding the words "and calls upon him to ensure that this information is disseminated as widely as possible;" after the words "Secretary-General".

149. The draft resolution, as orally revised, was adopted without a vote.

150. Statements in explanation of their delegations' positions were made by the representatives of the Russian Federation and the United States of America.

151. For the text as adopted, see chapter II, section A, resolution 1992/11.

152. At the same meeting, the representative of Australia introduced draft resolution E/CN.4/1992/L.20, sponsored by Australia, Austria, the Czech and Slovak Federal Republic, Peru, the Russian Federation and Spain*. Argentina, Costa Rica, Hungary, Italy, the Netherlands, Norway*, Tunisia and Uruguay subsequently joined the sponsors.

153. In introducing the draft resolution, the representative of Australia orally revised it as follows:

(a) A new third preambular paragraph was inserted;

(b) In operative paragraph 3, the words "which can contribute significantly to the realization of the right to development" were replaced by the words "and development".

154. The representative of the Philippines made a statement in connection with the draft resolution.

155. The representative of the Syrian Arab Republic orally proposed the following amendments to the draft resolution:

(a) In the sixth preambular paragraph, delete the word "can" after the words "trade unions";

(b) In the seventh preambular paragraph insert "and adequate standard of living" after the words "the right to life".

156. The Commission did not take action on the proposed amendments.

157. The draft resolution was adopted without a vote.

158. Statements in explanation of their delegations' positions were made by the representatives of Japan and the United States of America.

159. For the text as adopted, see chapter II, section A, resolution 1992/12.

160. At the same meeting, the Commission considered draft decision 6 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

161. The draft decision was adopted without a vote.

162. For the text as adopted, see chapter II, section B, decision 1992/103.

163. At its 47th meeting, on 28 February 1992, the Commission resumed its consideration of the draft resolutions and decisions submitted under item 7.

164. The representative of the United States of America introduced draft resolution E/CN.4/1992/L.12, sponsored by Costa Rica, the Czech and Slovak Federal Republic, Germany, Japan, the Russian Federation, Turkey* and the United States of America. The Islamic Republic of Iran, the Philippines, Sao Tome and Principe*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

165. In introducing the draft resolution, the representative of the United States of America orally revised it as follows:

(a) New third and fourth preambular paragraphs were added;

(b) In operative paragraph 2, the words "to enable him to carry out his mandate to submit a final report to the Commission at its forty-ninth session", were replaced by the words "and to transmit his preliminary report to all member States and interested intergovernmental and non-governmental organizations, requesting them to submit their comments so that they can be taken into account in the work of the Independent Expert";

(c) In operative paragraph 3, the words "of the Independent Expert" were replaced by the words "that the Independent Expert will submit in accordance with his mandate".

166. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.12, as revised.

167. The draft resolution, as orally revised, was adopted without a vote.

168. For the text as adopted, see chapter II, section A, resolution 1992/21.

VIII. QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

169. The Commission considered agenda item 8 concurrently with items 7, 15 and 16 (see chaps. VII, XV and XVI) at its 12th to 16th meetings, from 4 to 6 February, and at its 38th meeting, on 21 February 1992. 2/

170. The Commission had before it the following documents:

> Report of the Secretary-General on the effective implementation of the Declaration on the Right to Development, prepared in accordance with Commission resolution 1991/15 (E/CN.4/1992/10);
>
> Written statement submitted by the Women's International Democratic Federation and the World Federation of Trade Unions, non-governmental organizations in consultative status (category I); the American Association of Jurists, the International Association of Democratic Lawyers, the International Indian Treaty Council, the International League for the Rights and Liberation of Peoples, the Latin American Federation of Associations of Relatives of Disappeared Detainees, Pax Romana, Service, Peace and Justice in Latin America, the Women's International League for Peace and Freedom and the World Student Christian Federation, non-governmental organizations in consultative status (category II); and the Movement against Racism and for Friendship among Peoples and the International Peace Bureau, non-governmental organizations on the Roster (E/CN.4/1992/NGO/12);
>
> Written statement submitted by the International Federation of Rural Adult Catholic Movements, a non-governmental organization on the Roster (E/CN.4/1992/NGO/18);
>
> Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/37).

171. In the general debate on item 8, statements 3/ were made by the following members of the Commission: Argentina (14th), Australia (15th), Austria (15th), Brazil (16th), Canada (16th), Chile (16th), China (13th), Colombia (13th), Cuba (16th), Cyprus (16th), France (15th), India (16th), Indonesia (16th), Iran (Islamic Republic of) (16th), Iraq (16th), Italy (15th), Kenya (14th), Libyan Arab Jamahiriya (14th), Madagascar (15th), Mauritania (16th), Mexico (16th), Nigeria (16th), Pakistan (14th), Peru (14th), Philippines (16th), Russian Federation (15th), Senegal (14th), Sri Lanka (16th), United Kingdom of Great Britain and Northern Ireland (16th), United States of America (13th), Yugoslavia (16th), Zambia (16th).

172. The Commission also heard statements by the observers for: Ecuador (12th), Morocco (14th), Rwanda (16th), Sao Tome and Principe (13th).

173. The observer for the Holy See made a statement (16th).

174. The representative of the International Labour Organisation made a statement (16th).

175. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (16th), Andean Commission of Jurists (14th), Centre Europe - Tiers Monde (13th), Christian Democratic International (16th), Commission for the Defence of Human Rights in Central America (13th), International Association against Torture (16th), International Confederation of Free Trade Unions (14th), International Federation of Human Rights (13th), International Federation of Rural Adult Catholic Movements (14th), International Federation Terre des Hommes (14th), International Fellowship of Reconciliation (14th), International League for the Rights and Liberation of Peoples (15th), International Movement for Fraternal Union among Races and Peoples (16th), International Organization for the Development of Freedom of Education (13th), Minority Rights Group (16th), Movement Against Racism and for Friendship among Peoples (16th), Pax Romana (16th), Service, Peace and Justice in Latin America (13th), Union of Arab Jurists (16th).

176. Statements in exercise of the right of reply were made by the representatives of Bangladesh (18th) and Brazil (16th).

177. At its 38th meeting, on 21 February 1992, the Commission took up consideration of draft resolution E/CN.4/1992/L.21, submitted under agenda item 8.

178. The representative of Yugoslavia introduced draft resolution E/CN.4/1992/L.21, sponsored by Brazil, China, Colombia, Cuba, Cyprus, Egypt*, Ghana, India, Indonesia, Mexico, Nigeria, Pakistan, Peru, the Philippines, Sao Tome and Principe*, Uruguay, Venezuela, Yugoslavia, Zambia and Zimbabwe*. Afghanistan*, Algeria*, Angola, Bangladesh, Burundi, Gabon, the Islamic Republic of Iran , Kenya, Lesotho, Madagascar, Senegal and Sri Lanka subsequently joined the sponsors.

179. In introducing the draft resolution, the representative of Yugoslavia orally revised it as follows:

(a) In the fifth preambular paragraph, the word "increasing" was inserted between "*Expressing its appreciation* of the" and "recognition"; the words "as noted" were inserted between "recognition" and the words "in that report"; the words "and its relationship to the rights of the individual" were replaced by "in its relationship to human rights";

(b) At the end of the sixth preambular paragraph, "as well as the continuing need for concrete proposals from the Secretary-General on the effective implementation and promotion of the Declaration on the Right to Development," was added;

(c) The eighth preambular paragraph which read "*Noting* the continuing need for concrete proposals from the Secretary-General on the effective implementation and promotion of the Declaration on the Right to Development," was deleted.

180. The representative of Japan requested a vote on the draft resolution as orally revised.

181. At the request of the representative of Yugoslavia, a roll-call vote was taken on the draft resolution. The draft resolution, as orally revised, was adopted by 48 votes to 1, with 3 abstentions. The voting was as follows:

In favour: Angola, Argentina, Australia, Austria, Bangladesh, Barbados, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czech and Slovak Federal Republic, France, Gabon, Ghana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Peru, Philippines, Portugal, Russian Federation, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: United States of America.

Abstaining: Germany, Japan, United Kingdom of Great Britain and Northern Ireland.

182. Statements in explanation of vote after the vote were made by the representatives of Japan, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland.

183. For the text as adopted, see chapter II, section A, resolution 1992/13.

IX. THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

184. The Commission considered agenda item 9 concurrently with item 4 (see chap. IV) at its 3rd to 7th meetings, from 29 to 31 January, and at its 27th, 37th and 47th meetings, on 14, 21 and 28 February 1992. 2/

185. The Commission had before it the following documents:

Report of the Secretary-General on the situation in occupied Palestine (E/CN.4/1992/11);

Report on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, submitted by Mr. Enrique Bernales Ballesteros, Special Rapporteur, pursuant to Commission resolution 1991/7 (E/CN.4/1992/12);

Letter dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/72).

186. At the 3rd meeting, on 29 January 1992, Mr. Enrique Bernales Ballesteros, Special Rapporteur on mercenaries, introduced his report (E/CN.4/1992/12) to the Commission.

187. In the general debate on item 9, statements 3/ were made by the following members of the Commission: Argentina (6th), Australia (3rd), Austria (6th), Bangladesh (6th), Brazil (6th), China (5th), Cuba (6th), Cyprus (5th), Gambia (5th), Indonesia (6th), Mauritania (5th), Nigeria (3rd), Pakistan (5th and 6th), Russian Federation (6th), Senegal (3rd), United States of America (5th).

188. The Commission also heard statements by the observers for: Algeria (6th), Democratic People's Republic of Korea (7th), Egypt (4th), Latvia (6th), Morocco (7th), Oman (5th), Turkey (7th).

189. The observer for the Pan Africanist Congress of Azania made a statement (3rd).

190. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (7th), Centre Europe - Tiers Monde (4th), Commission for the Defence of Human Rights in Central America (3rd), International Educational Development, Inc. (7th), International Federation Terre des Hommes (4th), International Indian Treaty Council (7th), International League for the Rights and Liberation of Peoples (7th), Latin American Federation of Associations of Relatives of Disappeared Detainees (4th), Liberation (4th), Movement against Racism and for Friendship among Peoples (7th), Pax Christi (4th), World Confederation of Labour (7th), World Muslim Congress (7th).

191. In addition, a joint statement was made by the International Federation of Human Rights (6th) on behalf of France Libertés: Fondation Danielle Mitterrand and the International Federation of Human Rights.

192. Statements in exercise of the right of reply or its equivalent were made by the representatives of China (5th), India (5th and 7th), Pakistan (5th) and Yugoslavia (6th and 7th) and by the observers for Algeria (4th), Democratic People's Republic of Korea (6th), Morocco (7th), Spain (8th) and Turkey (5th).

193. At its 27th meeting, on 14 February 1992, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 9.

194. The representative of Madagascar introduced draft resolution E/CN.4/1992/L.4, sponsored by Algeria*, Burundi, China, Cuba, Ghana, Indonesia, Jordan*, Madagascar, Mauritania, Pakistan, Saudi Arabia*, Senegal, Somalia, the Sudan*, Tunisia, the United Arab Emirates*, Yemen* and Yugoslavia. Afghanistan*, Albania*, Bangladesh, Gabon and Morocco* subsequently joined the sponsors.

195. At the request of the representatives of Madagascar and the United States of America, a roll-call vote was taken on the draft resolution.

196. A statement in explanation of vote before the vote was made by the representative of the United States of America.

197. The draft resolution was adopted by 31 votes to 2, with 17 abstentions. The voting was as follows:

In favour: Angola, Bangladesh, Barbados, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Gabon, Ghana, India, Indonesia, Iran (Islamic Repubic of), Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia.

Against: United States of America, Uruguay.

Abstaining: Argentina, Australia, Austria, Bulgaria, Canada, Chile, Costa Rica, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland.

198. Statements in explanation of vote after the vote were made by the representatives of Australia, Austria, Brazil, Canada, the Czech and Slovak Federal Republic, the Islamic Republic of Iran, Portugal (on behalf of the Member States of the European Community that are members of the Commission), the Russian Federation, Uruguay and Venezuela.

199. The representative of Zambia subsequently indicated that, had he been present at the voting, he would have voted in favour of the draft resolution and that Zambia would have joined the sponsors.

200. For the text as adopted, see chapter II, section A, resolution 1992/4.

201. At its 37th meeting, on 21 February 1992, the Commission resumed its consideration of the draft resolutions and decisions submitted under agenda item 9.

202. Draft decision E/CN.4/1992/L.6, submitted by the Chairman, was adopted without a vote.

203. For the text as adopted, see chapter II, section B, decision 1992/102.

204. At the same meeting, draft resolution E/CN.4/1992/L.7, submitted by the Chairman, was adopted without a vote.

205. For the text as adopted, see chapter II, section A, resolution 1992/5.

206. At the same meeting, the representative of Nigeria introduced draft resolution E/CN.4/1992/L.8, sponsored by Algeria*, Burundi, Cameroon*, Chile, Colombia, Cuba, Egypt*, El Salvador*, Gabon, Ghana, India, Kenya, Lesotho, Liberia*, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Nigeria, Peru, Sao Tome and Principe*, Senegal, Somalia, the Sudan*, Tunisia, United Republic Tanzania*, Uruguay, Venezuela, Zambia and Zimbabwe*. Afghanistan* and Angola subsequently joined the sponsors.

207. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.8.

208. The draft resolution was adopted without a vote.

209. A statement in explanation of his delegation's position was made by the representative of the United States of America.

210. For the text as adopted, see chapter II, section A, resolution 1992/6.

211. At its 47th meeting, on 28 February 1992, the Commission concluded its consideration of the draft resolutions and decisions submitted under agenda item 9.

212. Draft resolution E/CN.4/1992/L.42, submitted by the Chairman, was adopted without a vote.

213. For the text as adopted, see chapter II, section A, resolution 1992/18.

X. QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR: (a) TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; (b) STATUS OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; (c) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES; (d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

214. The Commission considered agenda item 10 and sub-items (a), (b), (c) and (d) at its 21st to 26th meetings, from 11 to 14 February, at its 47th and 48th meetings on 28 February and of its 52nd meeting on 3 March 1992. 2/

215. In relation to agenda item 10, the Commission had before it the following documents:

Report of the Committee against Torture (A/46/46);

Report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A.46/618 and Corr.1);

Note by the Secretary-General on crime prevention and social justice (A/46/703 and Corr.1);

Report of the Secretary-General on measures to ensure the protection of independent experts, members of the Sub-Commission, special rapporteurs, representatives and members of the Secretariat accompanying them on mission (E/CN.4/1992/13);

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the implementation of Commission resolution 1991/34 (E/CN.4/1992/14);

Report of the Secretary-General (E/CN.4/1992/15);

Note by the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (E/CN.4/1992/16 and Add.1);

Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. P. Kooijmans, pursuant to Commission resolution 1991/38 (E/CN.4/1992/17 and Add.1);

Report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1992/18 and Corr.1 and Add.1);

Report of the Working Group on the Declaration on the protection of all persons from enforced disappearance (E/CN.4/1992/19/Rev.1);

Report of the Working Group on Arbitrary Detention (E/CN.4/1992/20);

Note by the Secretary-General (E/CN.4/1992/62);

Note by the Secretary-General (E/CN.4/1992/63);

Letter dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/71);

Letter dated 17 February 1992 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/78);

Second report on the right to a fair trial prepared by Mr. Stanislav Chernichenko and Mr. William Treat in accordance with Sub-Commission resolution 1990/18 and Commission resolution 1991/43 (E/CN.4/Sub.2/1991/29);

Written statement submitted by the International Federation of Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster (E/CN.4/1992/NGO/4);

Written statement submitted by the World Confederation of Labour and the World Federation of Trade Unions, non-governmental organizations in consultative status (category I): the American Association of Jurists, the International Association of Democratic Lawyers, the World Association of Former United Nations Interns and Fellows, the International Federation Terre des Hommes, the International Indian Treaty Council, the International League for the Rights and the Liberation of Peoples, the International Movement for Fraternal Union among Races and Peoples, Pax Christi, Pax Romana, the Women's International League for Peace and Freedom, the World Association of Former United Nations Interns and Fellows, the World Student Christian Federation, non-governmental organizations in consultative status (category II); the International Peace Bureau and the Movement against Racism and for Friendship among Peoples, non-governmental organizations on the Roster (E/CN.4/1992/NGO/9);

Written statements submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/22, E/CN.4/1992/NGO/23, E/CN.4/1992/NGO/25);

Written statement submitted by the World Confederation of Labour and the World Federation of United Nations Associations, non-governmental organizations in consultative status (category I); the American Association of Jurists, the Arab Organization for Human Rights, the Baha'i International Community, Defense for Children International Movement, the Friends World Committee for Consultation, Human Rights Advocates, the International Association of Democratic Lawyers, the International Association of Penal Law, the International Commission of Jurists, the International Council of Jewish Women, the International Federation Terre des Hommes, the International Fellowship of

Reconciliation, the International League for the Rights and Liberation of Peoples, the International Indian Treaty Council, the International Movement for Fraternal Union among Races and Peoples, Pax Christi, the Latin American Federation of Associations of Relatives of Disappeared Detainees, and the World Association for World Federation, non-governmental organizations in consultative status (category II); and Centre Europe - Tiers Monde, the International Federation of Action of Christians for the Abolition of Torture and the World Organization against Torture, non-governmental organizations on the Roster (E/CN.4/1992/NGO/27);

Written statement submitted by Service, Peace and Justice in Latin America, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/30);

Written statement submitted by International Educational Development, Inc., a non-governmental organization on the Roster (E/CN.4/1992/NGO/40).

216. At the 21st meeting, Mr. L. Joinet, Chairman-Rapporteur of the Working Group on Arbitrary Detention, introduced the report of the Working Group (E/CN.4/1992/20) to the Commission.

217. At the same meeting, Mrs. B. le Fraper du Hellen, Chairman-Rapporteur of the Working Group on the Declaration on the protection of all persons from enforced disappearance introduced the report of the Working Group (E/CN.4/1992/19/Rev.1) to the Commission.

218. In the general debate on item 10, statements 3/ were made by the following members of the Commission: Argentina (24th); Australia (24th), Austria (24th, 25th), Bulgaria (24th), Burundi (21st), Canada (24th), Chile (21st, 24th), China (23rd), Colombia (25th), Costa Rica (24th), Cuba (26th), Cyprus (23rd), Czech and Slovak Federal Republic (21st), India (24th), Italy (24th), Japan (24th), Kenya (24th), the Netherlands (21st, 24th), Peru (24th), Portugal (24th), Russian Federation (24th), Senegal (26th), United Kingdom of Great Britain and Northern Ireland (24th), United States of America (24th), Venezuela (24th).

219. The Commission also heard statements by the observers for: Belgium (23rd), Ireland (24th), New Zealand (26th), Norway (26th), Poland (26th), Spain (21st), Sweden (23rd), Turkey (21st).

220. The observer for Switzerland made a statement (26th).

221. The observer for the International Committee of the Red Cross made a statement (24th).

222. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (26th), American Association of Jurists (24th), Amnesty International (22nd), Andean Commission of Jurists (22nd), Arab Lawyers Union (22nd), Centre Europe - Tiers Monde (22nd), Christian Democratic International (26th), Commission for

the Defence of Human Rights in Central America (22nd), Commission of the Churches on International Affairs of the World Council of Churches (22nd), France-Libertés: Fondation Danielle Mitterand (22nd), Human Rights Advocates (22nd), Indian Council of South America (23rd), International Association against Torture (24th), International Association for the Defence of Religious Liberty (24th), International Association of Educators for World Peace (22nd), International Commission of Jurists (21st), International Fellowship of Reconciliation (22nd), International Federation of Human Rights (22nd), International Human Rights Law Group (23rd), International Indian Treaty Council (24th), International League for the Rights and Liberation of Peoples (22nd), International Organization for the Development of Freedom of Education (24th), Latin American Federation of Associations of Relatives of Disappeared Detainees (23rd), Liberation (26th), Movement against Racism and for Friendship among Peoples (23rd), Service, Justice and Peace in Latin America (22nd), Pax Christi (24th), Pax Romana (24th), Women's International League for Peace and Freedom (26th), World Federation of Trade Unions (23rd), World Movement of Mothers (24th), World Organization against Torture (22nd), World Social Prospects Association (23rd), World University Service (26th).

223. Joint statements were made by the International Commission of Jurists (21st) on behalf of: Amnesty International, International Commission of Jurists, International Federation of Human Rights, International Human Rights Law Group, International League for Human Rights, Latin American Federation of Associations of Relatives of Disappeared Detainees; and by the International Confederation of Free Trade Unions (23rd) on behalf of: International Confederation of Free Trade Unions, the International Federation of Journalists.

224. Statements in exercise of the right of reply or its equivalent were made by the representatives of Cuba (22nd, 24th), Iraq (22nd, 23rd), the Syrian Arab Republic (22nd); and the observers for Egypt (23rd), the Sudan (25th), Turkey (22nd) and Zaire (24th).

225. At its 47th meeting, on 28 February 1992, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 10.

226. The representative of Canada introduced draft resolution E/CN.4/1992/L.28, sponsored by Argentina, Austria, Belgium*, Bulgaria, Burundi, Canada, Chile, the Czech and Slovak Federal Republic, France, Gabon, Germany, Greece*, Hungary, Luxembourg*, New Zealand*, Panama*, Peru, the Russian Federation, Spain*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. Brazil, the Gambia, Japan and Liechtenstein* subsequently joined the sponsors.

227. The draft resolution was adopted without a vote.

228. At the 48th meeting, on 28 February 1992, after the adoption of the resolution, a statement in explanation of his delegation's position was made by the representative of the United States of America.

229. For the text as adopted, see chapter II, section A, resolution 1992/22.

230. In view of the adoption of resolution 1992/22 (see paras. 225-229), the Commission decided, at its 47th meeting, to take no action on draft decision 15, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

231. At the 47th meeting, the representative of Japan introduced draft resolution E/CN.4/1992/L.29, sponsored by Australia, Bangladesh, Belgium*, Bulgaria, Canada, Colombia, Cyprus, the Czech and Slovak Federal Republic, Germany, Greece*, Hungary, India, Indonesia, the Islamic Republic of Iran, Ireland*, Italy, Japan, Kenya, Peru, the Philippines, Poland*, the Russian Federation, Switzerland*, Turkey*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Afghanistan* and Liechtenstein* subsequently joined the sponsors.

232. The draft resolution was adopted without a vote.

233. For the text as adopted, see chapter II, section A, resolution 1992/23.

234. At the same meeting, the representative of the Russian Federation introduced draft resolution E/CN.4/1992/L.31, sponsored by Argentina, Bulgaria, Chile, the Czech and Slovak Federal Republic, the Netherlands, Portugal, the Russian Federation and the United States of America.

235. The draft resolution was adopted without a vote.

236. At the 48th meeting, on 28 February 1992, after the adoption of the resolution, a statement in explanation of his delegation's position was made by the representative of China.

237. For the text as adopted, see chapter II, section A, resolution 1992/24.

238. At the 47th meeting, the representative of Portugal introduced draft resolution E/CN.4/1992/L.34, sponsored by Australia, Austria, Costa Rica, France, Germany, Greece*, Hungary, Italy, Japan, Liechtenstein*, Luxembourg*, Panama*, the Philippines, Portugal, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. Canada, the Islamic Republic of Iran and Sao Tome and Principe* subsequently joined the sponsors.

239. The draft resolution was adopted without a vote.

240. For the text as adopted, see chapter II, section A, resolution 1992/26.

241. At the same meeting, the representative of France introduced draft resolution E/CN.4/1992/L.37, sponsored by Argentina, Australia, Austria, Belgium*, Bulgaria, Chile, Cyprus, the Czech and Slovak Federal Republic, Finland*, France, Gabon, Greece*, Hungary, India, Luxembourg*, Peru, Portugal, Senegal, Sweden*, Switzerland* and the United Kingdom of Great Britain and

Northern Ireland. Burundi, Costa Rica, Ecuador*, Iceland*, Lithuania*, Panama*, the Philippines, Poland*, the Russian Federation, Rwanda*, Sao Tome and Principe* and Tunisia subsequently joined the sponsors.

242. In introducing the draft resolution, the representative of France orally revised it as follows:

(a) A new last preambular paragraph was added;

(b) In operative paragraph 2, "with appreciation" was deleted.

243. The draft resolution, as orally revised, was adopted without a vote.

244. For the text as adopted, see chapter II, section A, resolution 1992/28.

245. At the same meeting, the representative of France introduced draft resolution E/CN.4/1992/L.38, sponsored by Argentina, Australia, Austria, Belgium*, Bulgaria, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Gabon, Hungary, Luxembourg*, New Zealand*, Norway, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. Canada, Chile, Costa Rica, Cuba, Cyprus, Greece*, Ireland*, Italy, the Netherlands, Panama*, Poland*, Portugal, the Russian Federation, Rwanda*, Sao Tome and Principe* and Senegal subsequently joined the sponsors.

246. A statement in connection with the draft resolution was made by the observer for Turkey.

247. The draft resolution was adopted without a vote.

248. At the 48th meeting, on 28 February 1992, after the adoption of the resolution, statements in explanation of their delegations' positions were made by the representatives of Chile and Japan.

249. For the text as adopted, see chapter II, section A, resolution 1992/29.

250. At the 47th meeting, the representative of Austria introduced draft resolution E/CN.4/1992/L.40, sponsored by Australia, Austria, Belgium*, Canada, Colombia, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Finland*, the Gambia, Greece*, Hungary, Italy, Liechtenstein*, the Netherlands, New Zealand*, Panama*, Peru, the Philippines, Poland*, Portugal, Spain* and Sweden*. Costa Rica, France, Germany, Kenya, Rwanda* and Sao Tome and Principe* subsequently joined the sponsors.

251. The draft resolution was adopted without a vote.

252. For the text as adopted, see chapter II, section A, resolution 1992/31.

253. At the 48th meeting, the observer for Belgium introduced draft resolution E/CN.4/1992/L.43, sponsored by Argentina, Australia, Austria, Belgium*, Bulgaria, Canada, Colombia, Cyprus, Denmark*, France, the Gambia, Germany,

Greece*, Hungary, Italy, Luxembourg*, the Netherlands, New Zealand*, Norway*, Peru, the Philippines, Portugal, Senegal and Spain*. Burundi, Costa Rica, Japan, Lesotho, Rwanda* and Sao Tome and Principe* subsequently joined the sponsors.

254. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.43.

255. The draft resolution was adopted without a vote.

256. For the text as adopted, see chapter II, section A, resolution 1992/33.

257. In view of the adoption of resolution 1992/33 (see paras. 253-256), the Commission decided to take no action on draft resolution VII, recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

258. At the same meeting, the Commission considered draft resolution II, recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

259. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ (see E/CN.4/1992/2, annex III, resolution 1991/14) of draft resolution II.

260. The representative of the Netherlands orally amended operative paragraph 6 by replacing "Committee on Crime Prevention and Control" by "Commission on Crime Prevention and Criminal Justice".

261. The draft resolution, as orally amended, was adopted without a vote.

262. For the text as adopted, see chapter II, section A, resolution 1992/34.

263. At the same meeting, the Commission considered draft resolution III recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

264. The draft resolution was adopted without a vote.

265. For the text as adopted, see chapter II, section A, resolution 1992/35.

266. At the same meeting, the Commission considered draft decision 1 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

267. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ (see E/CN.4/1992/2, annex III, resolution 1991/18) of draft decision 1.

268. The draft decision was adopted without a vote.

269. For the text as adopted, see chapter II, section B, decision 1992/107.

270. At the same meeting, the Commission considered draft decision 5 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

271. The representative of the Netherlands orally amended the draft decision, by replacing the word "Council" with the words "Commission on Human Rights".

272. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ (see E/CN.4/1992/2, annex III, resolution 1991/25) of draft decision 5.

273. The draft decision, as orally amended, was adopted without a vote.

274. For the text as adopted, see chapter II, section B, decision 1992/108.

A. Torture and other cruel, inhuman or degrading treatment or punishment

275. In connection with agenda item 10 (a), the Commission had before it the following documents:

> Report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/46/618 and Corr.1);
>
> Note by the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (E/CN.4/1992/16 and Add.1);
>
> General Assembly resolution 46/110 of 17 December 1991 on the United Nations Voluntary Fund for Victims of Torture;
>
> Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. P. Kooijmans, pursuant to Commission resolution 1991/38 (E/CN.4/1992/17 and Add.1);
>
> Written statement submitted by the International Federation of Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster (E/CN.4/1992/NGO/4);
>
> Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/25).

276. At the 21st meeting, on 11 February 1992, the Special Rapporteur, Mr. P. Kooijmans, introduced his report to the Commission (E/CN.4/1992/117 and Add.1).

277. In the general debate on item 10 (a), statements 3/ were made by the following members of the Commission: Argentina (24th), Australia (24th), Austria (25th), Bulgaria (24th), Canada (24th), Chile (21st), China (23rd), Colombia (25th), Costa Rica (24th), Cyprus (23rd), Czech and Slovak Federal Republic (21st), India (24th), Indonesia (25th), Italy (24th), Kenya (24th), the Netherlands (21st, 24th), Portugal (24th), Russian Federation (24th), Senegal (26th), United Kingdom of Great Britrain and Northern Ireland (24th), United States of America (24th), Venezuela (24th).

278. The Commission also heard statements by the observers for: Belgium (23rd), Ireland (24th), New Zealand (26th), Norway (26th), Poland (26th), Spain (21st), Sweden (23rd).

279. The observer for Switzerland made a statement (26th).

280. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (26th), Amnesty International (22nd), Arab Lawyers Union (22nd), Centre Europe - Tiers Monde (22nd), Christian Democratic International (26th), Commission of the Churches on International Affairs of the World Council of Churches (22nd), Commission for the Defence of Human Rights in Central America (22nd), Human Rights Advocates (22nd), International Association against Torture (24th), International Association for the Defence of Religious Liberty (24th), International Association of Educators for World Peace (22nd), International Federation of Human Rights (22nd), International League for the Rights and Liberation of Peoples (22nd), International Movement for Fraternal Union among Races and Peoples (24th), Latin American Federation of Associations of Relatives of Disappeared Detainees (23rd), Liberation (26th), Movement against Racism and for Friendship among Peoples (23rd), Pax Christi (24th), Pax Romana (24th), Service, Peace and Justice in Latin America (22nd), World Federation of Trade Unions (23rd), World Organization against Torture (22nd), World Social Prospects Association (23rd), World University Service (26th).

281. A joint statement was made by the World Student Christian Federation (26th) on behalf of: American Association of Jurists, Commission for the Defence of Human Rights in Central America, International Federation Terre des Hommes, International Fellowship of Reconciliation, International League for the Rights and Liberation of Peoples, Latin American Federation of Associations of Relatives of Disappeared Detainees, International Peace Bureau, Pax Christi, Pax Romana, Service, Peace and Justice in Latin America, Third World Movement against the Exploitation of Women, Women's International League for Peace and Freedom, World Alliance of Reformed Churches, World Conference on Religion and Peace, World Federation of Trade Unions, World Organization against Torture, World Student Christian Federation.

282. Statements in exercise of the right of reply or its equivalent were made by the representatives of Cuba (24th), Indonesia (26th), the Philippines (26th), Portugal (26th) and the Syrian Arab Republic (22nd) and by the observers for Egypt (23rd), Guatemala (26th), the Sudan (25th), Turkey (22nd) and Zaire (24th).

283. At the 47th meeting, on 28 February 1992, the observer for Sweden introduced draft resolution E/CN.4/1992/L.35, sponsored by Argentina, Australia, Austria, Brazil, Canada, Chile, Costa Rica, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, the Gambia, Germany, Greece*, Hungary, Iceland*, Ireland*, Italy, Japan, Liechtenstein*, Luxembourg*, the Netherlands, New Zealand*, Norway*, Peru, Poland*, Senegal, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Somalia subsequently joined the sponsors.

284. The draft resolution was adopted without a vote.

285. For the text as adopted, see chapter II, section A, resolution 1992/27.

286. At the same meeting, the observer for Belgium introduced draft resolution E/CN.4/1992/L.41, sponsored by Argentina, Australia, Austria, Belgium*, Canada, Costa Rica, Cyprus, Denmark*, Finland*, the Gambia, Germany, Greece*, Hungary, Ireland*, Italy, Liechtenstein*, Luxembourg*, the Netherlands, New Zealand*, Norway*, Panama*, Peru, Portugal, the Russian Federation, Senegal, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. Burundi, Rwanda* and Sao Tome and Principe* subsequently joined the sponsors.

287. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.41.

288. Statements in connection with the draft resolution were made by the representatives of Austria, Burundi, China, Cuba, India, Indonesia, the Islamic Republic of Iran, Nigeria, the Philippines and the Syrian Arab Republic.

289. At the 48th meeting, on 28 February 1992, the observer for Belgium orally revised draft resolution E/CN.4/1992/L.41 as follows:

(a) Operative paragraphs 3 and 4 were deleted.

(b) In operative paragraph 8 (new para. 6), the word "immediately" was replaced by "promptly".

290. Statements in connection with the revised draft resolution were made by the representatives of Argentina, Australia, Austria, Brazil, Burundi, Canada, Chile, China, France, Japan, Mexico, Pakistan, Peru, the Philippines, Portugal, the Russian Federation, Senegal, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela.

291. The representative of the Syrian Arab Republic orally proposed to amend the draft resolution by deleting, in operative paragraph 16 (new para. 14), the word "Governments".

292. The Commission did not take action on the proposed amendment.

293. The draft resolution, as orally revised, was adopted without a vote.

294. For the text as adopted, see chapter II, section A, resolution 1992/32.

B. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

295. In relation to agenda item 10 (b), the Commission had before it the following documents:

Report of the Committee against Torture (A/46/46);

Report of the Secretary-General (E/CN.4/1992/15);

Written statement submitted by the International Federation of Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster (E/CN.4/1992/NGO/4).

296. In the general debate on item 10 (b), statements 3/ were made by the following members of the Commission: Argentina (24th), Austria (25th), Bulgaria (24th), Canada (24th), Chile (21st), China (23rd), Colombia (25th), Costa Rica (24th), Cyprus (23rd), Czech and Slovak Federal Republic (21st), Italy (24th), Russian Federation (24th), Senegal (26th), Venezuela (24th).

297. The Commission heard statements by the observers for: Belgium (23rd), Ireland (24th), New Zealand (26th), Poland (26th), Spain (21st).

298. The Commission also heard statements by the following non-governmental organizations: Centre Europe - Tiers Monde (22nd), Pax Romana (24th), Service, Peace and Justice in Latin America (22nd).

299. At the 47th meeting, on 28 February 1992, the observer for Finland introduced draft resolution E/CN.4/1992/L.32, sponsored by Argentina, Australia, Austria, Brazil, Bulgaria, Canada, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Germany, Greece*, Hungary, Liechtenstein*, Luxembourg*, Mexico, the Netherlands, New Zealand*, Norway*, Peru, Poland*, Portugal, the Russian Federation, Senegal, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia. Chile, Italy, Panama*, the United States of America and Uruguay subsequently joined the sponsors.

300. The draft resolution was adopted without a vote.

301. At the 48th meeting, on 28 February 1992, after the adoption of the resolution, a statement in explanation of his delegation's position was made by the representative of Japan.

302. For the text as adopted, see chapter II, section A, resolution 1992/25.

C. Question of enforced or involuntary disappearances

303. In relation to agenda item 10 (c), the Commission had before it the report of the Working Group on Enforced or Involuntary Disappearances, (E/CN.4/1992/18 and Corr.1 and Add.1).

304. At the 21st meeting, on 11 February 1992, Mr. I. Tosevski, Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, introduced the report of the Working Group (E/CN.4/1992/18 and Corr.1 and Add.1) to the Commission.

305. In the general debate on item 10 (c), statements 3/ were made by the following members of the Commission: Argentina (24th), Australia (24th), Austria (24th, 25th), Canada (24th), Chile (21th), Colombia (25th), Cuba (26th), Cyprus (23rd), Italy (24th), Japan (24th), Netherlands (21st, 24th), Peru (24th), Portugal (24th), Russian Federation (24th), Sri Lanka (24th), United Kingdom of Great Britain and Northern Ireland (24th), United States of America (24th), Venezuela (24th).

306. The Commission heard statements by the observers for: New Zealand (26th), Nicaragua (26th), Norway (26th), Poland (26th), Sweden (23rd).

307. The observer for Switzerland made a statement (26th).

308. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (26th), Andean Commission of Jurists (22nd), Centre Europe - Tiers Monde (22nd), Christian Democratic International (26th), Commission for the Defence of Human Rights in Central America (22nd), Commission of the Churches for International Affairs of the World Council of Churches (22nd), France-Libertés: Fondation Danielle Mitterrand (22nd), International Association against Torture (24th), International Association for the Defense of Religious Liberty (24th), International Association of Educators for World Peace (22nd), International Federation of Human Rights (22nd), International Human Rights Law Group (23rd), International Indian Treaty Council (24th), International Movement for Fraternal Union among Races and Peoples (24th), Latin American Federation of Associations of Relatives of Disappeared Detainees (23rd), Liberation (26th), Movement against Racism and for Friendship among Peoples (23rd), Pax Christi (24th), Pax Romana (24th), Service, Peace and Justice in Latin America (22nd), Women's International League for Peace and Freedom (26th), World Federation of Trade Unions (23rd), World Organization against Torture (22nd).

309. Joint statements were made by the International Commission of Jurists (21st) on behalf of: Amnesty International, International Commission of Jurists, International Federation of Human Rights, International Human Rights Law Group, International League for Human Rights, Latin American Federation of Associations of Relatives of Disappeared Detainees; and the World Student Christian Federation (26th) on behalf of: American Association of Jurists, Commission for the Defence of Human Rights in Central America,

International Federation Terre des Hommes, International Fellowship of Reconciliation, International League for the Rights and Liberation of Peoples, Latin American Federation of Associations of Relatives of Disappeared Detainees, International Peace Bureau, Pax Christi, Pax Romana, Service, Peace and Justice in Latin America, Third World Movement against the Exploitation of Women, Women's International League for Peace and Freedom, World Alliance of Reformed Churches, World Conference on Religion and Peace, World Federation of Trade Unions, World Organization against Torture, World Student Christian Federation.

310. Statements in exercise of the right of reply or its equivalent were made by the representatives of Cyprus (25th), the Philippines (26th), the Syrian Arab Republic (22nd); and the observers for Turkey (24th, 25th) and Zaire (24th).

311. At the 47th meeting, on 28 February 1992, the representative of France introduced draft resolution E/CN.4/1992/L.39 sponsored by Australia, Austria, Belgium*, France, Greece*, Hungary, the Netherlands, New Zealand*, Portugal, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. Bulgaria, Canada, Chile, Cuba, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Ireland*, Luxembourg*, Madagascar, Norway*, Panama*, Poland*, the Russian Federation, Rwanda*, Sao Tomé and Principe* and Senegal subsequently joined the sponsors.

312. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.39.

313. The draft resolution was adopted without a vote.

314. At the 48th meeting, on 28 February 1992, after the adoption of the resolution, statements in explanation of their delegations' positions were made by the representatives of Germany and Japan.

315. For the text as adopted, see chapter II, section A, resolution 1992/30.

D. Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishemnt

316. In relation to agenda item 10 (d), the Commission had before it a written statement submitted by the World Confederation of Labour and the World Federation of United Nations Associations, non-governmental organizations in consultative status (category I); by the American Association of Jurists, the Arab Organization for Human Rights, the Baha'i International Community, Defense for Children International Movement, the Friends World Committee for Consultation, Human Rights Advocates, the International Association of Democratic Lawyers, the International Association of Penal Law, the International Commission of Jurists, the International Council of Jewish Women, the International Federation Terre des Hommes, the International

Fellowship of Reconciliation, the International League for the Rights and Liberation of Peoples, the International Indian Treaty Council, the International Movement for Fraternal Union among Races and Peoples, Pax Christi, the Latin American Federation of Associations of Relatives of Disappeared Detainees, and the World Association for World Federation, non-governmental organizations in consultative status (category II); and Centre Europe - Tiers Monde, the International Federation of Action of Christians for the Abolition of Torture and the World Organization against Torture, non-governmental organizations on the Roster (E/CN.4/1992/NGO/27).

317. In the general debate on item 10 (d), statements 3/ were made by the following members of the Commission: Argentina (24th), Australia (24th), Austria (25th), Bulgaria (24th), Chile (24th), Colombia (25th), Costa Rica (24th), Czech and Slovak Federal Republic (21st), Netherlands (24th), Portugal (24th), Russian Federation (24th), Venezuela (24th).

318. The Commission heard statements by the observers for: Belgium (23rd), Norway (26th), Poland (26th), Spain (21st), Sweden (23rd).

319. The observer for Switzerland made a statement (26th).

320. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (26th), Amnesty International (22nd), Centre Europe - Tiers Monde (22nd), Commission of the Churches for International Affairs of the World Council of Churches (22nd), Human Rights Advocates (22nd), International Association against Torture (24th), International Commission of Jurists (21st), International Federation of Human Rights (22nd), International Human Rights Law Group (23rd), International League for the Rights and Liberation of Peoples (22nd), Latin American Federation of Associations of Relatives of Disappeared Detainees (23rd), Service, Peace and Justice in Latin America (22nd), World Organization against Torture (22nd).

321. On 26 February 1992, a draft resolution (E/CN.4/1992/L.36) had been submitted by Argentina, Belgium*, Bolivia*, Brazil, Bulgaria, Burundi, Chile, Costa Rica, the Czech and Slovak Federal Republic, Ecuador*, El Salvador*, Finland*, France, Gabon, the Gambia, Greece*, Honduras*, Italy, Kenya, Kuwait*, Liechtenstein*, Lithuania*, Luxembourg*, Madagascar, Mauritania, Nicaragua*, Norway*, Panama*, Poland*, Portugal, the Russian Federation, Senegal, Spain*, Sweden*, Switzerland*, Uruguay and Venezuela, reading as follows:

> "The Commission on Human Rights,
>
> "Recalling its decision 1991/107 of 5 March 1991 to consider at its forty-eighth session the text, proposed by the Government of Costa Rica on 22 January 1991, of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see E/CN.4/1991/66), designed to establish a system of visits to places of detention,

"Noting that the draft optional protocol is a revised version of the draft submitted in 1980, also by Costa Rica, which takes account of developments in the international fight against torture since then,

"Recalling its resolution 1986/56 of 13 March 1986 and its decision 1989/104 of 6 March 1989, in which it considered that a system of visits to places of detention could represent a major step forward towards the effective prevention of torture,

"Noting that the Special Rapporteur on torture, Mr. Peter Kooijmans, has considered in his last report (E/CN.4/1992/17) that the institution of a treaty-based system of periodic visits to places of detention would be a highly effective preventive measure against the occurrence of torture,

"1. Decides to establish an open-ended intersessional working group of the Commission on Human Rights in order to elaborate a draft optional protocol to the Convention against Torture, using as a basis for its discussions the draft text proposed by Costa Rica (see E/CN.4/1991/66) on 22 January 1991;

"2. Invites all Governments, intergovernmental agencies and non-governmental organizations to participate in the activities of the working group;

"3. Requests the working group to meet for a period of two weeks before the forty-ninth session of the Commission;

"4. Also requests the Secretary-General to invite Governments, intergovernmental organizations, the Committee against Torture and non-governmental organizations to send comments on the draft optional protocol for consideration by the working group, and to circulate these contributions to Governments in advance of the meeting of the working group;

"5. Further requests the Secretary-General to extend all the necessary facilities to the working group for its meeting prior to the forty-ninth session of the Commission;

"6. Decides to examine this question at its forty-ninth session under a specific sub-item entitled 'Question of a draft optional protocol to the Convention against Torture', under the item entitled 'Question of the human rights of all persons subject to any form of detention or imprisonment';

"7. Recommends the following draft resolution to the Economic and Social Council for adoption:

'The Economic and Social Council,

"Recalling the Commission on Human Rights resolution 1992/... of ... February 1992, '1. Authorizes the establishment of an open-ended working group to elaborate a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, using as a basis for its discussion the draft text proposed by Costa Rica (see E/CN.4/1991/66) on 22 January 1991, which will meet for a period of two weeks prior to the forty-ninth session of the Commission on Human Rights;

'2. Requests the Secretary-General to extend all the necessary facilities to the working group to enable it to meet prior to the forty-ninth session of the Commission on Human Rights.'"

322. At the 52nd meeting, on 3 March 1992, the representative of Costa Rica introduced a revised draft resolution (E/CN.4/1992/L.36/Rev.1), sponsored by the same member and observer States as draft resolution E/CN.4/1992/L.36, as well as by Austria, Cyprus and the Philippines.

323. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of the revised draft resolution E/CN.4/1992/L.36/Rev.1.

324. The draft resolution was adopted without a vote.

325. A statement in explanation of his delegation's position was made by the representative of Peru.

326. For the text as adopted, see chapter II, section A, resolution 1992/43.

XI. FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION: (a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS; (b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS; (c) COORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

327. The Commission considered agenda item 11 at its 30th, 33rd, 34th and 48th meetings, on 17, 19 and 28 February and at its 52nd, 54th and 55th meetings, held from 3 to 5 March 1992. 2/

328. The Commission had before it the following documents:

Report of the Secretary-General prepared pursuant to Commission resolution 1991/22 (E/CN.4/1992/21 and Add.1 and 2);

Report of the Secretary-General on development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights (E/CN.4/1992/22);

Analytical report of the Secretary-General on internally displaced persons (E/CN.4/1992/23);

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (E/CN.4/1992/24);

Report of the International Workshop on National Institutions for the Promotion and Protection of Human Rights, Paris, 7-9 October 1991 (E/CN.4/1992/43 and Add.1 and 2);

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights submitted in accordance with paragraph 10 of General Assembly resolution 45/167 (E/CN.4/1992/58);

Letters dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/71, E/CN.4/1992/72, E/CN.4/1992/73);

Report of the Secretary-General on developments relating to the activities of the Centre for Human Rights (E/CN.4/1992/75);

Letter dated 27 February 1992 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/81);

Note verbale dated 25 February 1992 from the Permanent Mission of the Gambia to the United Nations addressed to the Commission (E/CN.4/1992/82);

Joint written statement submitted by Caritas Internationalis, Commission of the Churches on International Affairs of the World Council of Churches and Friends World Committee for Consultation, non-governmental organizations in consultative status (category II) (E/CN.4/1992/NGO/1);

Written statement submitted by Refugee Policy Group, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/21);

Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/38).

329. In the general debate on item 11, statements 3/ were made by the following members of the Commission: Australia (30th), Bangladesh (30th), Brazil (30th), Burundi (33rd), China (30th), Cuba (33rd), Czech and Slovak Federal Republic (30th), France (30th), Hungary (30th), Italy (30th), Mexico (30th), Netherlands (30th), Nigeria (30th), Russian Federation (30th), Senegal (30th), United Kingdom of Great Britain and Northern Ireland (30th), United States of America (30th).

330. The Commission heard statements by the observers for: Malta (30th), Morocco (34th), Poland (34th), Turkey (34th).

331. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (34th), Caritas Internationalis (34th), Centre Europe - Tiers Monde (30th), Commission for the Defence of Human Rights in Central America (30th), Friends World Committee for Consultations (34th), International Alliance of Women - Equal Rights, Equal Responsibilities (34th), International Association of Educators for World Peace (30th), International Educational Development, Inc. (30th), International Federation of Human Rights (30th), International Fellowship of Reconciliation (34th), International League for the Rights and Liberation of Peoples (30th), International Work Group for Indigenous Affairs (34th), Latin American Federation of Associations of Relatives of Disappeared Detainees (34th), Minority Right Group (34th), Refugee Policy Group (34th), Service, Peace and Justice in Latin America (30th), World Association for the School as an Instrument of Peace (34th), World Association for World Federation (34th), World University Service (30th).

332. Statements in exercise of the right of reply or its equivalent were made by the representatives of Austria (34th), Cuba (34th), Japan (34th), and the Philippines (30th) and the observer for Guatemala (30th).

333. At its 48th meeting, on 28 February 1992, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 11.

334. The representative of Italy introduced draft resolution E/CN.4/1992/L.33, sponsored by Afghanistan*, Albania*, Australia, Bulgaria, Chile, Greece*, Haiti*, Hungary, Ireland*, Italy, Mexico, the Netherlands, Peru, Poland*, Portugal, Romania*, the Russian Federation, Switzerland*, Ukraine*, Venezuela and Yugoslavia. Ecuador*, Guatemala*, Panama*, the Philippines, Rwanda*, Sao Tome and Principe*, Sweden*, and Tunisia, subsequently joined the sponsors.

335. A statement in explanation of her delegation's position was made by the representative of the United States of America.

336. The draft resolution was adopted without a vote.

337. For the text as adopted, see chapter II, section A, resolution 1992/38.

338. At the same meeting, the representative of Cuba introduced draft resolution E/CN.4/1992/L.45, sponsored by Afghanistan*, Algeria*, Angola, Cuba, the Democratic People's Republic of Korea*, Ghana, the Islamic Republic of Iran, Lesotho, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Nigeria, the Syrian Arab Republic, the United Republic of Tanzania*, Viet Nam*, Zambia and Zimbabwe*. China, Rwanda* and Somalia subsequently joined the sponsors.

339. The draft resolution was adopted without a vote.

340. For the text as adopted, see chapter II, section A, resolution 1992/39.

341. At the same meeting, the representative of the Philippines introduced draft resolution E/CN.4/1992/L.47, sponsored by Australia, Bangladesh, China, France, Indonesia, Japan, New Zealand*, the Philippines and Sri Lanka. Germany and the Islamic Republic of Iran subsequently joined the sponsors.

342. The draft resolution was adopted without a vote.

343. For the text as adopted, see chapter II, section A, resolution 1992/40.

344. At the same meeting, the representative of the Czech and Slovak Federal Republic introduced draft resolution E/CN.4/1992/L.48, sponsored by Angola, Argentina, Australia, Austria, Bulgaria, Chile, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Gabon, Germany, Greece*, Hungary, Japan, Kenya, Mexico, the Netherlands, New Zealand*, Nigeria, Norway*, Peru, Poland*, Portugal, the Russian Federation, Sweden*, Switzerland* and the United States of America. Panama* and Uruguay subsequently joined the sponsors.

345. The representative of Cuba made a statement in connection with the draft resolution.

346. The draft resolution was adopted without a vote.

347. For the text as adopted, see chapter II, section A, resolution 1992/41.

348. At the same meeting, the representative of Peru introduced draft resolution E/CN.4/1992/L.50, sponsored by Argentina, Bolivia*, Bulgaria, Burundi, Colombia, Cyprus, the Czech and Slovak Federal Republic, France, Gabon, the Gambia, Germany, Greece*, Hungary, India, Ireland*, Italy, Japan, Madagascar, Nigeria, Peru, the Philippines, Poland*, Portugal, the Russian Federation, Rwanda*, Spain*, Uruguay, Venezuela and Yugoslavia. Afghanistan*, Bangladesh, the Islamic Republic of Iran, Panama*, Somalia and Sri Lanka subsequently joined the sponsors.

349. The representative of Chile made a statement in connection with the draft resolution.

350. The draft resolution was adopted without a vote.

351. For the text as adopted, see chapter II, section A, resolution 1992/42.

352. At the 52nd meeting, on 3 March 1992, the Commission resumed its consideration of the draft resolutions submitted under item 11.

353. The representative of Brazil introduced draft resolution E/CN.4/1992/L.51, sponsored by Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Ecuador*, Guatemala*, Nigeria, Norway*, Panama*, Peru, the Philippines, Poland*, Portugal, the Russian Federation, Senegal, the United States of America, Uruguay and Venezuela. The Gambia, India, Kenya, Lesotho and Sao Tome and Principe*, subsequently joined the sponsors.

354. The draft resolution was adopted without a vote.

355. For the text as adopted, see chapter II, section A, resolution 1992/51.

356. At the same meeting, the observer for Belgium introduced draft resolution E/CN.4/1992/L.52, sponsored by Argentina, Australia, Austria, Belgium*, Brazil, Costa Rica, Gabon, Germany, Greece*, Guatemala*, Hungary, Italy, the Netherlands, Norway*, the Philippines, the Russian Federation, Senegal and Uruguay. The Islamic Republic of Iran, Japan and Sao Tome and Principe* subsequently joined the sponsors.

357. A statement in explanation of his delegation's position was made by the representative of Cuba.

358. The draft resolution was adopted without a vote.

359. For the text as adopted, see chapter II, section A, resolution 1992/52.

360. At the same meeting, the observer for Greece introduced draft resolution E/CN.4/1992/L.55, sponsored by Afghanistan*, Albania*, Angola, Argentina, Australia, Austria, Belgium*, Bhutan*, Bulgaria, Burundi, Canada, Chile, Colombia, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Ecuador*, Egypt*, El Salvador*, Ethiopia*, Finland*, France, Gabon, the Gambia, Germany, Greece*, Guatemala*, Haiti*, Honduras*, Hungary, Iceland*, Ireland*, Italy, Kenya, Kuwait*, Lebanon*, Liechtenstein*,

Luxembourg*, Madagascar, Mauritania, Morocco*, the Netherlands, New Zealand*, Nigeria, Norway*, Pakistan, Panama*, Peru, the Philippines, Poland*, Portugal, Romania*, the Russian Federation, Senegal, Somalia, Spain*, Sri Lanka, Sweden*, Switzerland*, Tunisia, Turkey*, Ukraine*, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania*, the United States of America, Uruguay, Venezuela, Yugoslavia and Zimbabwe*. Belarus*, Estonia*, the Islamic Republic of Iran, Lesotho, Malta*, and Sao Tome and Principe* subsequently joined the sponsors.

361. The draft resolution was adopted without a vote.

362. For the text as adopted, see chapter II, section A, resolution 1992/53.

363. At the same meeting, the representative of Australia introduced draft resolution E/CN.4/1992/L.56, sponsored by Australia, Brazil, Bulgaria, Burundi, Costa Rica, Denmark*, Finland*, France, Greece*, Hungary, Iceland*, Italy, Madagascar, New Zealand*, Nigeria, the Philippines, Poland*, Portugal, the Russian Federation and Ukraine*. Mexico, Sao Tome and Principe* and Senegal subsequently joined the sponsors.

364. In introducing the draft resolution, the representative of Australia orally revised it as follows:

(a) In operative paragraph 10 the word "Endorses" was replaced by the words "Welcomes the guidance provided by";

(b) In operative paragraph 17, the words "study and" were inserted between the words "to" and "promote".

365. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.56.

366. The representative of Senegal made a statement in connection with the draft resolution.

367. The draft resolution was adopted without a vote.

368. A statement in explanation of his delegation's position was made by the representative of the United States of America.

369. For the text as adopted, see chapter II, section A, resolution 1992/54.

370. At the same meeting, the representative of Austria introduced draft resolution E/CN.4/1992/L.74, sponsored by Argentina, Australia, Austria, Barbados, Belgium*, Bulgaria, Burundi, Canada, Chile, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Gabon, the Gambia, Germany, Greece*, Hungary, Ireland*, Italy, Kenya, Lesotho, Liechtenstein*, Luxembourg*, Madagascar, Malta*, the Netherlands,

New Zealand*, Norway*, Poland*, Portugal, the Russian Federation, Rwanda*, Senegal, Somalia, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Haiti* subsequently joined the sponsors.

371. In introducing the draft resolution, the representative of Austria orally revised operative paragraph 2 as follows:

(a) The words "take action on" were replaced by the words "resume consideration of";

(b) The words "taking also into account further suggestions that might be submitted on the subject" were added at the end of the paragraph.

372. In view of the revision made by the representative of Austria, the representative of India withdrew a draft amendment (E/CN.4/1992/L.87) to draft resolution E/CN.4/1992/L.74 submitted by India on 2 March 1992, which consisted in replacing operative paragraph 2 by the following:

> "Decides, in order to enable Member States to study this matter carefully, including any other proposals on this subject, to consider the question again at its forty-ninth session."

373. The representatives of Cuba and Mexico made statements in connection with the revised draft resolution.

374. The draft resolution was adopted without a vote.

375. A statement in explanation of his delegation's position was made by the representative of the United States of America.

376. For the text as adopted, see chapter II, section A, resolution 1992/55.

377. At the same meeting, the observer for Poland introduced draft resolution E/CN.4/1992/L.79, sponsored by Australia, Austria, Bulgaria, Canada, Chile, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Finland*, the Gambia, Germany, Greece*, Kenya, the Netherlands, Norway*, the Philippines, Poland*, Portugal, Sweden* and the United Kingdom of Great Britain and Northern Ireland. Denmark* and Italy subsequently joined the sponsors.

378. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.79.

379. The draft resolution was adopted without a vote.

380. For the text as adopted, see chapter II, section A, resolution 1992/56.

381. In view of the adoption of resolution 1992/56 (see paras. 377 to 380), the Commission decided to take no action on draft decision 11 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

382. At the same meeting, the observer for Poland introduced draft resolution E/CN.4/1992/L.81, sponsored by Chile, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, the Gambia, Kenya, Madagascar, the Netherlands, Norway*, Poland*, the Russian Federation and the United States of America.

383. In introducing the draft resolution, the observer for Poland orally revised it as follows:

(a) In the first preambular paragraph, the words "not belonging to the regular law enforcement agencies," were inserted between the words "forces" and "in relation";

(b) A new preambular paragraph was inserted between the third and fourth paragraphs;

(c) In operative paragraph 3, the words "within their mandates" were inserted between the words "attention" and "to the matter".

384. The draft resolution was adopted without a vote.

385. For the text as adopted, see chapter II, section A, resolution 1992/57.

386. On 28 February 1992, a draft resolution (E/CN.4/1992/L.82) was submitted by Australia, Austria, Bulgaria, Burundi, Canada, Chile, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Finland*, France, the Gambia, Greece*, Hungary, Kenya, Lebanon*, Lesotho, Madagascar, Mauritania, Nigeria, Norway*, Poland*, the Russian Federation, Rwanda*, Senegal, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania*, reading as follows:

> "*Internally displaced persons*
>
> "*The Commission on Human Rights*,
>
> "Mindful of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,
>
> "Recalling the relevant norms of international human rights instruments as well as of international humanitarian law,
>
> "*Deeply disturbed* by the serious problem the large number of internally displaced persons throughout the world and their suffering is creating for the international community,

"*Recognizing* that internally displaced persons are in need of relief assistance and of protection,

"*Conscious* of the human rights dimensions of internally displaced persons,

"*Recalling* its resolution 1991/25 of 5 March 1991, in which it requested the Secretary-General to submit an analytical report on internally displaced persons, taking into account the protection of human rights of internally displaced persons, based on information submitted by Governments, the specialized agencies, relevant United Nations organs, regional and intergovernmental organizations, the International Committee of the Red Cross and non-governmental organizations,

"1. *Takes note with appreciation* the analytical report of the Secretary-General on internally displaced persons (E/CN.4/1992/23);

"2. *Requests* its Chairman, after consulting the members of the Bureau, to appoint an independent expert to study the human rights issues related to internally displaced persons, including an examination of existing international human rights, humanitarian and refugee law and standards and their applicability to the protection of internally displaced persons;

"3. *Encourages* the independent expert, concerning questions relating to his mandate, to seek information from all Governments, the specialized agencies, relevant United Nations organs, regional intergovernmental and non-governmental organizations and all other persons with relevant information, and to consult with the United Nations Emergency Relief Coordinator, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and the Ad Hoc Working Group on Early Warning regarding New Flows of Refugees and Displaced Persons established by the Administrative Committee on Coordination;

"4. *Invites* the independent expert to organize, with the assistance of relevant United Nations organizations and consistent with available resources, a seminar to facilitate his information-gathering and consultative activities with a view to ensuring that viewpoints of all regions are taken into account;

"5. *Requests* the independent expert to present a comprehensive study to the Commission at its forty-ninth session identifying existing laws and mechanisms for the protection of the internally displaced, possible additional measures to strengthen implementation of these laws and mechanisms and alternatives for addressing protection needs not adequately covered by existing instruments;

"6. *Invites* the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross to support the expert in the preparation of his study;

"7. Requests the Secretary-General to provide all necessary assistance to the independent expert to enable him to accomplish his task;

"8. Decides to continue its consideration of this question at its forty-ninth session under an appropriate agenda item."

387. At the 54th meeting, on 4 March 1992, the representative of Austria introduced a revised draft resolution (E/CN.4/1992/L.82/Rev.1) sponsored by the same member and observer States as draft resolution E/CN.4/1992/L.82 as well as by Argentina, China, Denmark*, Ghana, India, Italy, the Philippines, Somalia and Venezuela.

388. In introducing the revised draft resolution, the representative of Austria orally corrected operative paragraph 3 by inserting the words "views and" between "Secretary-General" and "information".

389. A statement in connection with the revised draft resolution was made by the representative of India.

390. Consideration of the revised draft resolution was postponed.

391. At the 55th meeting, on 5 March 1992, the Commission resumed its consideration of draft resolution E/CN.4/1992/L.82/Rev.1.

392. The representative of Austria revised the revised draft resolution as follows:

(a) In operative paragraph 2, the words "Requests its Chairman, after consulting the members of the Bureau, to appoint an independent expert to study" were replaced by the words "Requests the Secretary-General to designate a representative to seek again views and information from all Governments on";

(b) In operative paragraph 3, the words "independent expert, concerning questions relating to his mandate, to seek, in consultation with the Secretary-General," were replaced by the words "Secretary-General to seek also"; the words "all other persons with relevant information, and to consult with" were replaced by the words "experts in all regions on these issues, as well as of"; the words "the International Organization for Migration" were inserted between the words "Refugees," and "the International Committee of the Red Cross";

(c) Operative paragraph 4, reading "Invites the independent expert to organize, with the assistance of relevant United Nations organizations and consistent with available resources, a seminar to facilitate his information-gathering and consultative activities with a view to ensuring that viewpoints of all regions are taken into account;" was deleted;

(d) Operative paragraph 8, reading "Requests the Secretary-General to provide all necessary assistance to the independent expert to enable him to accomplish his task;" was also deleted;

(e) Operative paragraphs 5, 6, 7 and 9 were renumbered as paragraphs 4, 5, 6 and 7;

(f) In new operative paragraph 4, the words "subjects related to the expert's mandate and to be represented at this seminar" were replaced by the word "subject";

(g) In new operative paragraph 5, the words "independent expert" were replaced by the word "Secretary-General";

(h) In new operative paragraph 6, the words "support the expert in" were replaced by the words "contribute to"; and the word "his" was replaced by the word "this".

393. The representatives of Bangladesh, China, the Gambia, Pakistan, the Russian Federation and Sri Lanka made statements in connection with the revised draft resolution as further revised.

394. At the same meeting, the representative of Venezuela orally proposed an amendment to the revised draft resolution (E/CN.4/1992/L.82/Rev.1) as further revised by inserting in new operative paragraph 6 the words "the International Organization for Migration" between the words "Refugees," and "and the International Committee of the Red Cross".

395. The representative of Austria accepted the amendment proposed by the representative of Venezuela.

396. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.82/Rev.1, as further revised and amended.

397. The draft resolution, as revised and amended, was adopted without a vote.

398. A statement in explanation of his delegation's position was made by the representative of Cuba.

399. For the text as adopted, see chapter II, section A, resolution 1992/73.

XII. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING: (a) QUESTION OF HUMAN RIGHTS IN CYPRUS; (b) SITUATION OF HUMAN RIGHTS IN OCCUPIED KUWAIT; (c) STUDY OF SITUATIONS WHICH APPEAR TO REVEAL A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS AS PROVIDED IN COMMISSION RESOLUTION 8 (XXIII) AND ECONOMIC AND SOCIAL COUNCIL RESOLUTIONS 1235 (XLII) AND 1503 (XLVIII): REPORT OF THE WORKING GROUP ON SITUATIONS ESTABLISHED BY ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1990/41 OF 25 MAY 1990.

400. The Commission considered agenda item 12 and sub-items (a) and (b) at its 33rd to 36th meetings, from 19 to 20 February, at its 38th to 46th meetings, from 21 to 27 February, and at its 52nd, 54th and 55th meetings, from 3 to 5 March 1992. 2/ Item 12 (c) was considered by the Commission in closed session (see para. 522 below).

401. In connection with the consideration of item 12, the Commission had before it the following documents:

Note by the Secretary-General on the situation of human rights in southern Lebanon (A/46/446);

Note by the Secretary-General on the situation of human rights in El Salvador (A/46/529);

Report of the Secretary-General on human rights and mass exoduses (A/46/542);

Note by the Secretary-General on the situation of human rights in Kuwait under Iraqi occupation (A/46/544 and Corr.1);

Note by the Secretary-General on the situation of human rights in Afghanistan (A/46/606);

Note by the Secretary-General on the situation of human rights in Iraq (A/46/647);

Note verbale dated 22 July 1991 from the Permanent Mission of Turkey to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1992/3);

Letter dated 7 August 1991 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/4);

Report of the Secretary-General provided pursuant to Commission decision 1991/106 (E/CN.4/1992/25);

Report on the situation of human rights in Kuwait under Iraqi occupation, prepared by Mr. Walter Kälin, Special Rapporteur of the Commission, in accordance with Commission resolution 1991/67 (E/CN.4/1992/26);

Report on the situation of human rights in Cuba, prepared by Mr. Rafael Rivas Posada, Special Representative of the Secretary-General, in accordance with the mandate given him by Commission resolution 1991/68 (E/CN.4/1992/27);

Report on the situation of human rights in Romania, submitted by Mr. Joseph Voyame, Special Rapporteur appointed in accordance with Commission resolution 1989/75 (E/CN.4/1992/28 and Add.1);

Note by the Secretary-General on cooperation with representatives of United Nations human rights bodies (E/CN.4/1992/29);

Report on summary or arbitrary executions prepared by the Special Rapporteur, Mr. S. Amos Wako, in accordance with Commission resolution 1991/71 (E/CN.4/1992/30 and Corr.1 and Add.1);

Report on the situation of human rights in Iraq, prepared by Mr. Max van der Stoel, Special Rapporteur of the Commission, in accordance with Commission resolution 1991/74 (E/CN.4/1992/31);

Final report to the Commission on the situation of human rights in El Salvador, prepared by Mr. José Antonio Pastor Ridruejo, Special Representative of the Commission, in accordance with Commission resolution 1991/75 (E/CN.4/1992/32);

Report on the situation of human rights in Afghanistan, submitted by Mr. Felix Ermacora, Special Rapporteur, in accordance with Commission resolution 1991/78 (E/CN.4/1992/33);

Report on the situation of human rights in the Islamic Republic of Iran by the Special Representative of the Commission, Mr. Reynaldo Galindo Pohl, pursuant to Commission resolution 1991/82 (E/CN.4/1992/34);

Report of the Secretary-General on the situation of human rights in Albania, submitted pursuant to Commission resolution 1991/76 (E/CN.4/1992/35);

Report of the Secretary-General on the situation of human rights in southern Lebanon (E/CN.4/1992/36);

Note by the Secretary-General on the situation in Tibet submitted pursuant to Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/10 (E/CN.4/1992/37);

Note by the Secretariat on the circulation of document S/23212 (E/CN.4/1992/60);

Letter dated 2 January 1992 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1992/64);

Letter dated 30 January 1992 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/67);

Note verbale dated 27 January 1992 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1992/68);

Letter dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/72);

Letter dated 27 February 1992 from the Permanent Representative of Indonesia to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/79);

Letter dated 28 February 1992 from the Deputy Permanent Representative, Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/83);

Written statement submitted by Habitat International Coalition, a non-governmental organization on the Roster (E/CN.4/1992/NGO/2);

Written statement submitted by the International Federation of Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster (E/CN.4/1992/NGO/5);

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/10);

Written statement submitted by the International Union of Young Christian Democrats, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/13);

Written statement submitted by Lawyers Committee for Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/19);

Written statements submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/24, E/CN.4/1992/NGO/28);

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/34).

Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status (category I) (E/CN.4/1992/NGO/35);

Written statement submitted by International Educational Development, Inc., a non-governmental organization on the Roster (E/CN.4/1992/NGO/41).

402. At the 33rd meeting, on 19 February 1992, the Special Rapporteur on summary or arbitrary executions, Mr. S. Amos Wako, introduced his report to the Commission (E/CN.4/1992/30 and Add.1).

403. At the 34th meeting, on 19 February 1992, the Special Representative on the situation of human rights in Cuba, Mr. Rafael Rivas Posada, introduced his report to the Commission (E/CN.4/1992/27 and Corr.1).

404. At the 35th meeting, on 20 February 1992, the Special Rapporteur on the situation of human rights in Iraq, Mr. Max van der Stoel, introduced his report to the Commission (E/CN.4/1992/31).

405. At the same meeting, the Secretary of the Commission, on behalf of the Special Representative on the situation of human rights in the Islamic Republic of Iran, Mr. Reynaldo Galindo Pohl, introduced the report of the Special Representative to the Commission (E/CN.4/1992/34).

406. At the same meeting, the Special Rapporteur on the situation of human rights in Afghanistan, Mr. Felix Ermacora, introduced his report to the Commission (E/CN.4/1992/33).

407. At the 36th meeting, on 20 February 1992, the Special Representative on the situation of human rights in El Salvador, Mr. José Antonio Pastor Ridruejo, introduced his report to the Commission (E/CN.4/1992/32).

408. At the 41st meeting, on 25 February 1992, the Special Rapporteur on the situation of human rights in Romania, Mr. Joseph Voyame, introduced his report to the Commission (E/CN.4/1992/28 and Add.1).

409. In the general debate on item 12, statements 3/ were made by the following members of the Commission: Angola (36th), Australia (43rd), Austria (41st), Barbados (44th), Brazil (42nd), Canada (42nd), Chile (44th), China (38th, 41st, 44th), Cuba (34th, 44th), Czech and Slovak Federal Republic (40th), Hungary (41st), India (44th), Indonesia (40th), Iran (Islamic Republic of) (38th, 44th), Iraq (35th, 38th, 40th), Japan (44th), Libyan Arab Jamahiriya (38th), Madagascar (44th), Mexico (40th), Netherlands (44th), Pakistan (34th), Portugal (on behalf of the European Community and its member States) (35th), Russian Federation (42nd), Sri Lanka (41st), Syrian Arab Republic (38th, 43rd), United States of America (34th, 36th), Yugoslavia (44th).

410. The Commission heard statements by the observers for: Albania (36th, 44th), Bahrain (40th), Belgium (42nd), Bolivia (45th), Democratic People's Republic of Korea (43rd), Egypt (38th), El Salvador (44th), Estonia (45th), Finland (43rd), Greece (39th), Haiti (36th), Kuwait (34th), Lebanon (36th), Liechtenstein (43rd), Norway (39th), Panama (45th), Poland (44th), Republic of Korea (43rd), Romania (42nd), Rwanda (39th), Sweden (39th), Turkey (44th), United Arab Emirates (36th), Zaire (43rd).

411. The observers for the Holy See (43rd) and Switzerland (43rd) made statements.

412. The observer for the International Committee of the Red Cross made a statement (36th).

413. The Commission also heard statements by the following non-governmental organizations: ActionAid (40th), African Association of Education for Development (44th), American Association of Jurists (40th), Amnesty International (36th), Andean Commission of Jurists (34th), Arab Organization for Human Rights (34th), Article 19, The International Centre against Censorship (36th), Baha'i International Community (36th), Centre Europe - Tiers Monde (36th), Christian Democratic International (40th), Commission for the Defence of Human Rights in Central America (36th), Commission of the Churches on International Affairs of the World Council of Churches (38th), Coordinating Board of Jewish Organizations (36th), Four Directions Council (40th), France-Libertés: Fondation Danielle Mitterrand (40th), General Arab Women Federation (36th), Grand Council of the Crees (of Quebec) (38th), Greek Orthodox Archdiocesan Council of North and South America (40th), Habitat International Coalition (38th), Human Rights Advocates, Inc. (34th), Indian Council of South America (40th), International Association against Torture (36th), International Association for Religious Freedom (36th), International Association of Democratic Lawyers (36th), International Association of Educators for World Peace (39th), International Commission of Jurists (36th), International Confederation of Free Trade Unions (39th), International Council of Voluntary Agencies (43rd), International Educational Development, Inc. (40th), International Falcon Movement (46th), International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities (40th), International Federation of Action of Christians for the Abolition of Torture (44th), International Federation Terre des Hommes (39th), International Fellowship of Reconciliation (39th), International Human Rights Law Group (34th), International Indian Treaty Council (40th), International League for the Rights and Liberation of Peoples (40th), International Movement for Fraternal Union among Races and Peoples (40th), International Peace Bureau (36th), International Union of Students (44th), International Union of Young Christian Democrats (39th), International Work Group for Indigenous Affairs (36th), Inter-Parliamentary Union (40th), Latin American Federation of Associations of Relatives of Disappeared Detainees (39th), Liberal International (42nd), Liberation (34th), Minority Rights Group (42nd), Movement against Racism and for Friendship among Peoples (42nd), National Aboriginal and Islander Legal Services Secretariat (39th), Pax Christi (36th), Pax Romana (40th), Refugee Policy Group (40th), Service, Peace and Justice in Latin America (44th),

Survival International, Ltd. (36th), Third World Movement against the Exploitation of Women (46th), War Amputations of Canada (42nd), Women's International League for Peace and Freedom (34th), World Alliance of Reformed Churches (46th), World Association for World Federation (39th), World Confederation of Labour (40th), World Conference on Religion and Peace (36th), World Movement of Mothers (36th), World Organization against Torture (39th), World Social Prospects Association (40th), World Student Christian Federation (42nd).

414. In addition, joint statements were made by the Union of Arab Jurists (40th) on behalf of: Article 19, The International Centre against Censorship, General Arab Women Federation, International League for the Rights and Liberation of Peoples, International PEN, Pax Christi, Union of Arab Jurists, Women's International League for Peace and Freedom, World Peace Council; and the World University Service (40th) on behalf of the International Students Union and the World University Service.

415. Statements in exercise of the right of reply or its equivalent were made by the representatives of China (36th, 38th), Cuba (36th, 38th, 39th, 40th, 43rd, 44th), India (34th, 43rd), Iraq (34th, 39th, 40th, 43rd), Japan (45th), Mexico (44th), Pakistan (34th), the Philippines (43rd, 46th), the Syrian Arab Republic (36th, 44th), Tunisia (36th), the United States of America (38th), Uruguay (34th) and Yugoslavia (40th, 43rd) and the observers for Algeria (40th, 46th), Djibouti (36th), Ethiopia (46th), Haiti (41st), Kuwait (34th), Morocco (38th, 44th), Rwanda (38th, 41st), Sudan (36th), Turkey (36th, 41st, 43rd), Viet Nam (39th) and Zaire (36th).

Situation of human rights in Sri Lanka

416. At the 46th meeting, on 27 February 1992, the representative of Sri Lanka made a statement concerning the situation of human rights in Sri Lanka. Subsequently, the Chairman read out the following statement he had been asked to make on behalf of the Commission:

> "The Commission acknowledges the measures taken by the Government of Sri Lanka to address the human rights situation throughout the country, particularly the establishment of institutions and other mechanisms to monitor and inquire into reports of disappearances and other human rights violations, and that these measures have led to an improved human rights situation for the civilian population.
>
> "The Commission welcomes the full and valuable cooperation accorded by the Government of Sri Lanka to the Working Group on Enforced or Involuntary Disappearances.
>
> "The Commission is, however, seriously concerned over the human rights situation in Sri Lanka, indicated, *inter alia*, in the report of the Working Group (E/CN.4/1992/18/Add.1), particularly the large number of disappearances recorded by the Working Group, and concerned that, whilst there has been an overall decline, incidents of disappearance continue to be reported.

"The Commission calls upon the Government of Sri Lanka to further intensify its efforts to ensure the full protection of human rights and further calls upon all parties to respect fully the universally accepted rules of humanitarian law.

"The Commission urges the Government of Sri Lanka to continue to pursue a negotiated political solution with all parties, based on principles of respect for human rights and fundamental freedoms, leading to a durable peace in the north and the east of the country.

"The Commission urges the Government of Sri Lanka to implement the recommendations of the Working Group, and expresses its satisfaction at the willingness of the Government of Sri Lanka to take the necessary steps to implement the recommendations of the Working Group.

"The Commission welcomes the decision of the Government of Sri Lanka to invite the Working Group on Enforced or Involuntary Disappearances to visit Sri Lanka again during the course of 1992 for the purpose, *inter alia*, of evaluating the progress of the implementation of its recommendations.

"The Commission looks forward to considering the report of the Working Group on its follow-up visit to Sri Lanka at its forty-ninth session."

Situation of human rights in the Islamic Republic of Iran

417. At the 52nd meeting, on 3 March 1992, the representative of Portugal introduced draft resolution E/CN.4/1992/L.24 sponsored by Australia, Belgium*, Canada, Denmark*, Finland*, France, Germany, Greece*, Ireland*, Italy, Luxembourg*, the Netherlands, Norway*, Portugal, Spain*, Sweden*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Austria, Costa Rica, Iceland*, Japan, Liechstenstein* and Switzerland* subsequently joined the sponsors.

418. Consideration of the draft resolution was postponed.

419. At its 54th meeting, on 4 March 1992, the Commission resumed its consideration of draft resolution E/CN.4/1992/L.24.

420. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.24.

421. The representative of the Islamic Republic of Iran requested a roll-call vote on the draft resolution.

422. Statements in explanation of vote before the vote were made by the representatives of the Islamic Republic of Iran and Portugal.

423. The draft resolution was adopted by 22 votes to 12, with 15 abstentions. The voting was as follows:

In favour:	Australia, Austria, Brazil, Canada, Chile, Costa Rica, Czech and Slovak Federal Republic, France, Germany, Hungary, Iraq, Italy, Japan, Mexico, Netherlands, Peru, Portugal, Russian Federation, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.
Against:	Bangladesh, China, Cuba, Gambia, Ghana, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Pakistan, Philippines, Somalia, Syrian Arab Republic.
Abstaining:	Angola, Colombia, Cyprus, Gabon, India, Kenya, Lesotho, Madagascar, Mauritania, Nigeria, Senegal, Sri Lanka, Uruguay, Yugoslavia, Zambia.

424. At the 55th meeting, on 5 March 1992, statements in explanation of vote after the vote were made by the representatives of Brazil and Senegal.

425. For the text as adopted, see chapter II, section A, resolution 1992/67.

Situation of human rights in Myanmar

426. On 20 February 1992, a draft resolution (E/CN.4/1992/L.25) was submitted by Argentina, Australia, Austria, Belgium*, Bulgaria, Canada, Chile, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Gabon, Germany, Greece*, Hungary, India, Ireland*, Italy, Luxembourg*, the Netherlands, Norway*, Portugal, Senegal, Spain*, Sweden*, the United Kingdom of Great Britain and Northern Ireland and the United States of America, reading as follows:

"The situation of human rights in Myanmar

"The Commission on Human Rights,

"*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

"*Aware* that, in accordance with the Charter, the United Nations promotes and encourages respect for human rights and fundamental freedoms for all, and that the Universal Declaration of Human Rights states that 'the will of the people shall be the basis of the authority of government',

"*Noting with particular concern* in this regard that the electoral process initiated in Myanmar by the general elections of 27 May 1990 has not yet reached its conclusion, that no apparent progress has been made in giving effect to the political will of the people of Myanmar, as expressed in the elections, and that the final results of the elections have not even been officially released,

"Also noting that many political leaders, in particular elected representatives, remain deprived of their liberty and that Daw Aung San Suu Kyi, Nobel Peace Prize laureate, is still under house arrest,

"Noting with concern the seriousness of the situation of human rights in Myanmar, the existence of important restrictions on the exercise of fundamental freedoms and the imposition of oppressive measures directed, in particular, at minority groups,

"Having examined the report of the Working Group on Arbitrary Detention (E/CN.4/1992/20),

"Recalling General Assembly resolution 46/132 of 17 December 1991 concerning the human rights situation in Myanmar,

"1. Deplores the fact that the Government of Myanmar, despite the assurances given at various times that it would take firm steps towards the establishment of a democratic State, has not to this day fulfilled those commitments;

"2. Expresses its concern at the seriousness of the human rights situation in Myanmar and, in particular, at the fact that a number of political leaders, including Daw Aung San Suu Kyi and other leaders of the National League for Democracy, remain deprived of their liberty;

"3. Decides to nominate a special rapporteur for the purpose of establishing direct contacts with the Government of Myanmar and with the people of Myanmar, including political leaders deprived of their liberty, their families and lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar, and to report to the General Assembly at its forty-seventh session and to the Commission on Human Rights at its forty-ninth session;

"4. Urges the Government of Myanmar to extend its full and unreserved cooperation to the Commission and the Special Rapporteur and, to this end, to ensure that the Special Rapporteur has free access to any person in Myanmar whom he deems it appropriate to meet for the conduct of his mandate;

"5. Invites the Government of Myanmar to take every appropriate measure to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of

Human Rights, and to accelerate the process of transition to democracy, in particular through the convening of the parliament elected in May 1990;

"6. Also invites the Government of Myanmar to lift the restraining orders placed on a number of political leaders, to release those who are detained and to ensure that political parties can function normally;

"7. Requests the Government of Myanmar to ensure that all persons are afforded the minimum guarantees for a fair trial, according to due process of law and in conformity with the applicable international standards;

"8. Calls upon the authorities of Myanmar to give particular attention to prison conditions in the country's jails and in this respect, to allow the International Committee of the Red Cross to visit the country's prisons;

"9. Urges the Government of Myanmar to reopen the universities and other institutions of higher education;

"10. Decides to keep this matter under review at its forty-ninth session under the item entitled 'Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories'."

427. At the 52nd meeting, on 3 March 1992, the representative of France introduced a revised draft resolution (E/CN.4/1992/L.25/Rev.1), sponsored by the same member and observer States as draft resolution E/CN.4/1992/L.25 as well as by Estonia*, Iceland*, Liechtenstein* and Switzerland*.

428. In introducing the draft resolution, the representative of France orally revised the fourth preambular paragraph by adding the words "and is deprived of visits from her family" after the words "house arrest".

429. The Secretary of the Commission drew the attention of the Commission to the following correction in the sixth preambular paragraph: "70,000" was corrected to read "80,000".

430. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.25/Rev.1.

431. Statements relating to the draft resolution were made by the representative of Japan and the observer for Myanmar.

432. The draft resolution, as orally revised and corrected, was adopted without a vote.

433. A statement in explanation of his delegation's position was made by the representative of Bangladesh.

434. For the text as adopted, see chapter II, section A, resolution 1992/58.

Cooperation with representatives of United Nations human rights bodies

435. At the 52nd meeting, on 3 March 1992, the representative of Hungary introduced draft resolution E/CN.4/1992/L.44, sponsored by Australia, Austria, Costa Rica, the Czech and Slovak Federal Republic, the Gambia, Hungary, Sweden* and Switzerland*.

436. The draft resolution was adopted without a vote.

437. For the text as adopted, see chapter II, section A, resolution 1992/59.

Situation of human rights in Cuba

438. At the 52nd meeting, on 3 March 1992, the representative of the United States of America introduced draft resolution E/CN.4/1992/L.59, sponsored by Belgium*, Bulgaria, Costa Rica, the Czech and Slovak Federal Republic, Denmark*, Finland*, the Gambia, Germany, Hungary, Ireland*, Japan, Liechtenstein*, Luxembourg*, the Netherlands, Norway*, Panama*, Poland*, Romania*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Austria, Canada, Honduras*, Iceland*, Kuwait*, Lithuania* and Nicaragua* subsequently joined the sponsors.

439. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.59.

440. The representative of Cuba requested a roll-call vote on the draft resolution.

441. Statements in explanation of vote before the vote were made by the representatives of Cuba and Zambia.

442. The draft resolution was adopted by 23 votes to 8, with 21 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Bulgaria, Canada, Chile, Costa Rica, Czech and Slovak Federal Republic, France, Gambia, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, Senegal, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Angola, China, Cuba, Ghana, Iran (Islamic Republic of), Iraq, Libyan Arab Jamahiriya, Syrian Arab Republic.

Abstaining: Brazil, Burundi, Colombia, Cyprus, Gabon, India, Indonesia, Kenya, Lesotho, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Somalia, Sri Lanka, Venezuela, Yugoslavia, Zambia.

443. Statements in explanation of vote after the vote were made by the representatives of Brazil and Chile.

444. For the text as adopted, see chapter II, section A, resolution 1992/61.

Situation of human rights in El Salvador

445. At the 52nd meeting, on 3 March 1992, the representative of Argentina introduced draft resolution E/CN.4/1992/L.66, sponsored by Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, the Czech and Slovak Federal Republic, France, Greece*, Ireland*, Mexico, Peru, Portugal, Spain*, the United States of America, Uruguay and Venezuela. Italy and Switzerland* subsequently joined the sponsors.

446. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.66.

447. The draft resolution was adopted without a vote.

448. For the text as adopted, see chapter II, section A, resolution 1992/62.

Human rights and mass exoduses

449. At the 52nd meeting, on 3 March 1992, the representative of Canada introduced draft resolution E/CN.4/1992/L.67, sponsored by Australia, Bulgaria*, Canada, Colombia, Costa Rica, the Gambia, Germany, Greece*, Hungary, Italy, Japan, Jordan*, Luxembourg*, New Zealand*, Norway*, the Philippines, Poland*, Switzerland*, Turkey*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Cyprus and the Russian Federation subsequently joined the sponsors.

450. The draft resolution was adopted without a vote.

451. For the text as adopted, see chapter II, section A, resolution 1992/63.

Situation of human rights in Romania

452. At the 52nd meeting, on 3 March 1992, the observer for Sweden introduced draft resolution E/CN.4/1992/L.68, sponsored by Australia, Austria, Belgium*, Canada, Denmark*, France, Germany, Greece*, Ireland*, Italy, Luxembourg*,

the Netherlands, Norway*, Portugal, Romania*, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

453. The draft resolution was adopted without a vote.

454. A statement in explanation of his delegation's position was made by the representative of the United States of America.

455. For the text as adopted, see chapter II, section A, resolution 1992/64.

Situation of human rights in East Timor

456. On 25 February 1992, a draft resolution (E/CN.4/1992/L.27) was submitted by Angola, Belgium*, Bulgaria, Chile, Costa Rica, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Germany, Greece*, Guinea-Bissau*, Hungary, Iceland*, Ireland*, Italy, Luxembourg*, Mozambique*, the Netherlands, Norway*, Portugal, Rwanda*, Sao Tome and Principe*, Spain*, Sweden*, and the United Kingdom of Great Britain and Northern Ireland, reading as follows:

"Situation in East Timor

"The Commission on Human Rights,

"Guided by the Universal Declaration of Human Rights, the International Covenants on Human Rights and the universally accepted rules of international law,

"Recalling resolution 1990/15 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the statement made by its Chairman on 23 August 1991 (see E/CN.4/Sub.2/1991/SR.26),

"Considering the report submitted by the Special Rapporteur on torture on his visit to Indonesia and East Timor (E/CN.4/1992/17/Add.1) and taking note of the evaluation, conclusions and recommendations contained therein,

"Gravely concerned at the unprovoked violence employed by the Indonesian security forces on 12 November 1991 at Santa Cruz cemetery in Dili, which resulted in the killing and wounding of a large number of civilians, and at the fate of those unaccounted for,

"Concerned also at the fact that this incident has occurred in the context of a deteriorating human rights situation in East Timor including extrajudicial executions, arbitrary arrests, ill-treatment, disappearances and political imprisonment,

"Taking note of the early action of the Indonesian Government in setting up a national commission of enquiry to investigate into that violence and of its summary report, already made public, "Welcoming the prompt response of the Government of Indonesia to report and its announcement of measures in this regard, and especially its criticism of the actions of the armed forces, the decision to dismiss the two senior commanders responsible for East Timor and to proceed with further investigation into the actions of the armed forces on 12 November 1991 and into the fate of those unaccounted for, in order to clarify the remaining discrepancies, namely, those concerning the number of people killed and on the course of the events, and to bring to account those responsible for the shootings,

"Bearing in mind in this context the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, endorsed by the General Assembly in its resolution 44/162,

"Recalling relevant United Nations resolutions concerning East Timor,

"1. Condemns the unjustifiable action by the armed forces of Indonesia that cost the life of many innocent and defenceless citizens in East Timor;

"2. Expresses its deep concern at the reports of continuing human rights violations;

"3. Urges the Government of Indonesia to pursue a thorough investigation into the actions of members of its armed forces at all levels and to give a clear commitment that those found responsible will be brought to trial;

"4. Calls upon the Indonesian authorities to ensure that all the East Timorese arrested on the occasion of the Dili shooting are treated humanely, that those not involved in violent activities are released without delay and that those brought to trial are assured of proper legal representation and fair trials;

"5. Welcomes the appointment by the Secretary-General of Mr. S. Amos Wako as his Personal Envoy in order to obtain clarifications on the tragic events which occurred in Dili, East Timor, on 12 November 1991, and the willingness of the Indonesian authorities to cooperate fully with him;

"6. Requests the Secretary-General to continue to follow closely developments in the human rights situation in East Timor and to keep the Commission informed thereon;

"7. Commends the Special Rapporteur on torture on his report on his visit to Indonesia and East Timor and urges the Government of Indonesia to implement its recommendations and to keep the Commission informed of the progress made towards their implementation;

"8. Encourages the Secretary-General to continue his good offices, as mandated by the General Assembly in its resolution 37/30 of 23 November 1982, with a view to exploring avenues for achieving a just, comprehensive and internationally acceptable settlement of the question of East Timor, with full respect for the legitimate interests and aspirations of the East Timorese, in line with the purposes and principles of the Charter of the United Nations;

"9. Calls upon the Government of Indonesia to allow access to the territory of East Timor by all international human rights organizations;

"10. Decides to consider the situation in East Timor at its forty-ninth session."

457. At the 54th meeting, on 4 March 1992, the Chairman of the Commission made the following statement he had been asked to make announcing what had been agreed by consensus by the Commission on the Situation of Human Rights in East Timor:

"The Commission on Human Rights notes with serious concern the human rights situation in East Timor, and strongly deplores the violent incident in Dili on 12 November 1991, which resulted in the loss of lives and injuries to a large number of civilians and many unaccounted for.

"The Commission welcomes the early action of the Indonesian Government in setting up a national commission of inquiry and the prompt response which its advance report elicited from the highest Indonesian authorities; expresses its hope that, as announced by the Indonesian Government, further investigation into the action of the security personnel on 12 November 1991 and into the fate of those unaccounted for will clarify the remaining discrepancies, namely on the number of people killed and those missing.

"The Commission is encouraged by the recent announcement by the Indonesian authorities of disciplinary measures and military court proceedings regarding some members of its armed forces and urges the Indonesian Government to bring to trial and punish all those found responsible. Furthermore, the Commission calls upon the Indonesian authorities to ensure that all civilians arrested on the occasion are treated humanely, that those brought to trial are assured of proper legal representation and fair trial and that those not involved in violent activities are released without delay.

"The Commission welcomes the appointment of Mr. S. Amos Wako, as Personal Envoy of the Secretary-General of the United Nations, to obtain clarification on the tragic events of 12 November 1991, and the willingness of the Indonesian authorities to cooperate fully with him. The Commission encourages the Secretary-General to continue his good offices for achieving a just, comprehensive and internationally acceptable settlement of the question of East Timor.

"The Commission urges the Government of Indonesia to improve the human rights situation in East Timor; commends the report by its Special Rapporteur on the question of torture on his visit to Indonesia and East Timor (E/CN.4/1992/17/Add.1), prepared following his visit at the invitation of the Indonesian Government; urges the Indonesian authorities to take the necessary steps to implement its recommendations and looks forward to a report thereon; calls on the Indonesian Government to facilitate access to East Timor for additional humanitarian organizations and for human rights organizations; and requests the Secretary-General to continue to follow closely the human rights situation in East Timor and to keep the Commission informed at its forty-ninth session."

458. At the same meeting, subsequent to the statement by the Chairman, draft resolution E/CN.4/1992/L.27 was withdrawn by the sponsors.

Situation in China/Tibet

459. On 27 February 1992, a draft resolution (E/CN.4/1992/L.49) was submitted by Austria, Belgium*, Costa Rica, Denmark*, Finland*, France, Germany, Greece*, Iceland*, Ireland*, Italy, Liechtenstein*, Luxembourg*, the Netherlands, Norway*, Panama*, Portugal, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland, reading as follows:

"Situation in Tibet

"The Commission on Human Rights,

"Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and other United Nations conventions, declarations and resolutions on human rights,

"Recalling Sub-Commission resolution 1991/10 of 23 August 1991 and other relevant United Nations resolutions,

"Concerned at continuing reports of violations of human rights and fundamental freedoms in Tibet which threaten the distinct cultural, religious and ethnic identity of the Tibetans,

"1. Takes note of the summary records of the debates on this question during the forty-third session of the Sub-Commission;

"2. Also takes note of the Secretary-General's note (E/CN.4/1992/37) on the subject;

"3. Further takes note of the reports of the Special Rapporteurs on torture (E/CN.4/1992/17), on summary or arbitrary executions (E/CN.4/1992/30), on religious intolerance (E/CN.4/1992/52) and the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1992/18);

"4. Calls on the Government of the People's Republic of China to take measures to ensure the full observance of human rights and fundamental freedoms of the Tibetans;

"5. Invites the Government of the People's Republic of China to continue to respond to requests by special rapporteurs for information;

"6. Requests the Secretary-General to submit a report to the Commission on Human Rights at its forty-ninth session on the situation in Tibet."

460. At the 54th meeting, on 4 March 1992, the representative of Hungary requested that rule 52 of the rules of procedure of the functional commissions of the Economic and Social Council be applied in considering the revised draft resolution (E/CN.4/1992/L.49/Rev.1). The representative of China proposed that the Commission consider the revised draft resolution.

461. Statements relating to the application of rule 52 were made by the representatives of China, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Pakistan, Portugal and the Syrian Arab Republic.

462. A vote was taken on the proposal made by the representative of China to proceed with the consideration of draft resolution E/CN.4/1992/L.49/Rev.1. The proposal was adopted by 45 votes to 3, with 1 abstention.

463. A statement in explanation of vote after the vote was made by the representative of Australia.

464. At the same meeting, the representative of Portugal introduced draft resolution E/CN.4/1992/L.49/Rev.1, sponsored by Australia, Austria, Belgium*, Canada, Costa Rica, Denmark*, Finland*, France, Germany, Greece*, Iceland*, Ireland*, Italy, Liechtenstein*, Luxembourg*, the Netherlands, Norway*, Portugal, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Japan subsequently joined the sponsors.

465. The representative of China made a statement relating to the draft resolution.

466. At the same meeting, the representative of Pakistan moved, under rule 65, paragraph 2 of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1992/L.49/Rev.1.

467. Statements relating to the motion were made by the representatives of Costa Rica, Cuba, the Gambia, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Mauritania, the Netherlands, Portugal, Sri Lanka, the Syrian Arab Republic and the United States of America.

468. The representative of China requested a roll-call vote on the motion, which was adopted by 27 votes to 15, with 10 abstentions. The voting was as follows:

In favour:	Angola, Bangladesh, Burundi, Chile, China, Cuba, Cyprus, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Nigeria, Pakistan, Philippines, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Yugoslavia, Zambia.
Against:	Australia, Austria, Canada, Costa Rica, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.
Abstaining:	Argentina, Brazil, Bulgaria, Colombia, Gabon, Mexico, Peru, Senegal, Uruguay, Venezuela.

469. Statements in explanation of vote after the vote were made by the representatives of Chile, China and Costa Rica.

470. For the text as adopted, see chapter II, section B, decision 1992/116.

Situation of Human Rights in Afghanistan

471. On 27 February 1992, a draft resolution (E/CN.4/1992/L.62) was submitted by the Chairman, reading as follows:

"Situation of human rights in Afghanistan

"The Commission on Human Rights,

"Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977,

"Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

"Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

"Recalling Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan, with a view to formulating proposals that could contribute to ensuring full protection of the human rights of the inhabitants of the country before, during and after the withdrawal of all foreign forces,

"Recalling also its other relevant resolutions, as well as the resolutions of the General Assembly and the decisions of the Economic and Social Council,

"Taking note in particular of its resolution 1991/78 of 6 March 1991, in which the Commission decided to extend the mandate of the Special Rapporteur on the situation of human rights in Afghanistan for one year and to request him to report to the General Assembly at its forty-sixth session and to the Commission at its forty-eighth session and of Economic and Social Council decision 1991/259 of 31 May 1991, in which the Council approved the Commission's decision,

"Emphasizing the relevance and validity for all parties concerned of the Agreements on the Settlement of the Situation relating to Afghanistan, concluded at Geneva on 14 April 1988 (S/19835, annex I), which constitute an important step towards a comprehensive political solution,

"Underlining the importance of the Secretary-General's statement of 21 May 1991 (A/46/577 - S/23146, annex), in which he provided a five-point peace plan to serve as the basis for a comprehensive political settlement in Afghanistan, acceptable to the majority of the Afghan people,

"Noting with satisfaction the joint statement of the United States of America and the Union of Soviet Socialist Republics of 13 September 1991 on the simultaneous cut-off of weapons deliveries to the Afghan parties by 1 January 1992, and expressing the hope that such agreement will be implemented on a broader basis,

"Noting with deep concern that a situation of armed conflict continues to exist in Afghanistan, that acts of terrorism are still being perpetrated against the civilian population, that the treatment of prisoners detained in connection with the conflict often does not conform to the humanitarian rules set out in the Geneva Conventions, of 12 August 1949, and the Additional Protocols thereto, of 1977,

"Deeply concerned that more than 5 million refugees are still living outside Afghanistan and that many Afghans are displaced within the country and, despite a slight improvement of the conditions for the return of refugees, no massive return has been reported,

"Aware also that the reasons given by the refugees for not returning to Afghanistan, pending the achievement of a comprehensive political solution and the establishment of a broad-based government, include the continued fighting in some provinces, the use of very destructive arms in the conflict, the minefields that have been laid in many parts of the country, the lack of an effective authority in many areas, the destruction of the economy and other obstacles that would be encountered by refugees in returning to Afghanistan,

"Commending the activity carried out by the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross in cooperation with the Afghan authorities, as well as non-governmental organizations, in favour of the people of Afghanistan,

"Taking note with appreciation of the report of the Special Rapporteur on the situation of human rights in Afghanistan (E/CN.4/1992/33) and of the conclusions and recommendations contained therein,

"1. Welcomes the cooperation of the Afghan authorities with the Special Rapporteur on the situation of human rights in Afghanistan;

"2. Also welcomes the cooperation that the Afghan authorities have extended, in particular to the Coordinator for United Nations Humanitarian and Economic Assistance Programmes relating to Afghanistan and to international organizations, such as the specialized agencies, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross;

"3. Further welcomes the steps undertaken by the Afghan authorities to reform the judicial system in order to make it conform to international standards, and encourages them to undertake any further steps to guarantee fair trials;

"4. Urges all parties concerned to increase their efforts in order to achieve a comprehensive political solution - which they recognize is the only way to bring about peace and the full restoration of human rights in Afghanistan - based on the points of the Secretary-General's plan of 21 May 1991 on the free exercise of the right to self-determination by the people, including free and fair elections, the cessation of hostilities and the creation of conditions that will permit the free return of refugees to their homeland in safety and honour, whenever they wish, and the full enjoyment of human rights and fundamental freedoms by all Afghans;

"5. Recognizes that the protection and promotion of human rights should be an essential element in a solution to the conflict and calls on all parties to the conflict to respect human rights;

"6. Urges all parties to the conflict to respect accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977, to halt the use of weapons against the civilian population, to protect all prisoners from acts of reprisal and violence, including ill-treatment, torture and summary executions, to transmit to the International Committee of the Red Cross the names of all prisoners, to expedite the exchange of prisoners wherever they may be held and to grant to that Committee unrestricted access to all parts of the country and the right to visit all prisoners in accordance with its established criteria;

"7. Calls upon all States and parties concerned to make all possible efforts for the release, as soon as possible, of all prisoners of war detained as a result of the conflict;

"8. Calls in particular for the immediate release of former Soviet prisoners of war, as provided by article 118 of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949, considering that the hostilities in which the former Soviet Union was involved have legally and effectively ended;

"9. Welcomes the decision of the Afghan authorities to allow the International Committee of the Red Cross full access to Afghan prisons;

"10. Requests that the International Committee of the Red Cross be given full access to the prisoners of war held by the opposition forces;

"11. Calls upon all conflicting parties to investigate thoroughly the fate of those persons who have disappeared, to apply amnesty decrees equally to foreign detainees, to reduce the period during which prisoners await trial, to treat all prisoners, especially those awaiting trial or those in custody in juvenile rehabilitation centres, in accordance with the Standard Minimum Rules for the Treatment of Prisoners, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and to apply to all convicted persons article 14, paragraphs 3 (d) and 5 of the International Covenant on Civil and Political Rights;

"12. Notes improvements in the treatment of prisoners and urges all the parties to the conflict to conform fully to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977;

"13. Notes with concern the allegations of atrocities that are still being committed against Afghan soldiers, civil servants and captured civilians;

"14. Requests the Afghan authorities to take the proper steps in order to permit activity by the political opponents, and appeals to all conflicting parties to act likewise;

"15. Welcomes the decision of the Afghan authorities to commute the death sentences which were imposed on the persons allegedly involved in the attempted coup d'état of March 1990, in conformity with General Assembly resolution 46/136 of 17 December 1991;

"16. Expresses its concern at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

"17. Urgently appeals to all Member States, humanitarian organizations and all parties concerned to cooperate fully, especially on the subject of mine detection and clearance, in order to facilitate the return of refugees and displaced persons to their homes in safety and dignity, in conformity with the Agreements on the Settlement of the Situation relating to Afghanistan;

"18. Also urgently appeals to all Member States and humanitarian organizations to continue to promote the implementation of the projects envisaged by the Coordinator for United Nations Humanitarian and Economic Assistance Programmes Relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot project for the repatriation of refugees;

"19. Urges all parties concerned to undertake all necessary measures to ensure the safety of the personnel of humanitarian organizations involved in the implementation of United Nations humanitarian and economic assistance programmes relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees;

"20. Also urges all parties concerned to extend their full cooperation to the Commission on Human Rights and its Special Rapporteur;

"21. Decides to extend the mandate of the Special Rapporteur for one year and to request him to report to the General Assembly at its forty-seventh session and to the Commission on Human Rights at its forty-ninth session on the situation of human rights in Afghanistan;

"22. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

"23. Decides to continue its consideration of the human rights situation in Afghanistan at its forty-ninth session, as a matter of high priority, under the agenda item entitled 'Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories'."

472. At its 54th meeting, on 4 March 1992, the Commission took up consideration of a revised draft resolution (E/CN.4/1992/L.62/Rev.1) submitted by the Chairman.

473. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.62/Rev.1.

474. At the same meeting, the Secretary of the Commission announced the following corrections to the draft resolution:

(a) In the tenth preambular paragraph, quotation marks were placed before "joint" and after "mujahidin";

(b) In operative paragraph 11, the word "Also" was deleted; the words "by the opposition forces" were inserted between "Welcomes the release" and "of three Soviet prisoners"; the words "further continue to" were inserted between "encourages them to" and "release"; and the words "the Soviet prisoners of war;" were replaced by "of them".

475. The draft resolution, as corrected, was adopted without a vote.

476. A statement relating to the adopted resolution was made by the observer for Afghanistan.

477. For the text as adopted, see chapter II, section A, resolution 1992/68.

Situation of human rights in Albania

478. At the 54th meeting, on 4 March 1992, the representative of Portugal introduced draft resolution E/CN.4/1992/L.69, sponsored by Albania*, Canada, Denmark*, Finland*, Germany, Greece*, Ireland*, Italy, Luxembourg*, the Netherlands, Portugal, Sweden*, and the United Kingdom of Great Britain and Northern Ireland. Austria, Belgium*, France, Spain*, Switzerland* and the United States of America subsequently joined the sponsors.

479. In introducing the draft resolution, the representative of Portugal orally revised it as follows:

(a) In operative paragraph 2, the word "the" after "the rights of" was replaced by the words "persons belonging to";

(b) Operative paragraph 3, which read:

> "Emphasizes that all Albanian citizens should be enabled to exercise freely their right to vote and to stand for election and that all necessary practical measures should be taken to guarantee the free expression of the will of the electors during the next proclaimed elections, including the establishment of political parties;"

was replaced by a new paragraph 3.

480. The draft resolution, as orally revised, was adopted without a vote.

481. For the text as adopted, see chapter II, section A, resolution 1992/69.

Situation of human rights in southern Lebanon

482. At the 54th meeting, on 4 March 1992, the representative of Mauritania introduced draft resolution E/CN.4/1992/L.70, sponsored by Bahrain*, Bangladesh, Burundi, Cuba, Egypt*, Gabon, India, Indonesia, Jordan*, Kuwait*, Lebanon*, Madagascar, Mauritania, Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*, Somalia, the Sudan*, the Syrian Arab Republic, Tunisia, the United Arab Emirates*, Yemen*, Yugoslavia and Zambia.

483. Statements relating to the draft resolution were made by the observers for Israel and Lebanon.

484. The representative of the United States of America requested a vote on draft resolution E/CN.4/1992/L.70. At the request of the representative of Mauritania, a roll-call vote was taken. The draft resolution was adopted by 49 votes to 1, with 1 abstention. The voting was as follows:

In favour: Angola, Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czech and Slovak Federal Republic, France, Gabon, Gambia, Germany, Ghana, Hungary, India, Indonesia, Iran (Islamic Republic of), Italy, Japan, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Peru, Philippines, Portugal, Russian Federation, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia, Zambia.

Against: United States of America.

Abstaining: Uruguay.

485. At the 55th meeting, on 5 March 1992, statements in explanation of vote after the vote were made by the representatives of the Islamic Republic of Iran and the United States of America.

486. For the text as adopted, see chapter II, section A, resolution 1992/70.

Situation of human rights in Iraq

487. At the 55th meeting, on 5 March 1992, the representative of Portugal introduced draft resolution E/CN.4/1992/L.76, sponsored by Argentina, Australia, Austria, Belgium*, Canada, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Germany, Greece*, Hungary, Iceland*, Ireland*, Italy, Japan, Kuwait*, Liechtenstein*, Luxembourg*, the Netherlands, Norway*, Portugal, Rwanda*, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. Lithuania* and the United States of America subsequently joined the sponsors.

488. In introducing the draft resolution, the representative of Portugal orally revised it as follows:

(a) In the ninth preambular paragraph, the word "Kurdish" was replaced by the word "Iraqi" between the words "used on the" and "civilian population" and also between the words "destruction of" and "towns and villages";

(b) In operative paragraph 2 (a), the words "the northern Kurdish region" were replaced by the words "northern region of Iraq";

(c) In operative paragraph 6, the words "including Kurds and Shi'ites" were deleted;

(d) In operative paragraph 7, the word "Kurds" after the words "lives of the" was replaced by the words "Iraqi people";

(e) In operative paragraph 13, the word "Kurdish" before the words "northern area of Iraq" was deleted.

489. In accordance with rule 28 of the rules of procedures of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.76.

490. A statement relating to the draft resolution was made by the representative of Iraq.

491. A statement in explanation of vote before the vote was made by the representative of the Islamic Republic of Iran.

492. At the request of the representative of Iraq, a vote was taken on draft resolution E/CN.4/1992/L.76. The draft resolution was adopted by 35 votes to 1, with 16 abstentions.

493. For the text as adopted, see chapter II, section A, resolution 1992/71.

Extrajudicial, Summary or Arbitrary Executions

494. At the 55th meeting, on 5 March 1992, the observer for Sweden introduced draft resolution E/CN.4/1992/L.77, sponsored by Argentina, Australia, Belgium*, Canada, Chile, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Finland*, the Gambia, Germany, Greece*, Hungary, Iceland*, Italy, Luxembourg*, the Netherlands, New Zealand*, Norway*, Panama*, Poland*, Portugal, Spain*, Sweden* and Switzerland. France, Ireland* and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

495. In introducing the draft resolution, the observer for Sweden orally revised it as follows:

(a) Two new paragraphs were added as operative paragraphs 4 and 5 and the remaining paragraphs were renumbered accordingly;

(b) In new operative paragraph 6, the words "to extend" were replaced by the word "that" and the word "for" was replaced by the words "shall be".

496. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the adminstrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.77 as revised.

497. The representative of the Philippines made a statement in connection with the draft resolution as revised.

498. The draft resolution, as orally revised, was adopted without a vote.

499. A statement in explanation of his delegation's position was made by the representative of the United States of America.

500. For the text as adopted, see chapter II, section A, resolution 1992/72.

A. Question of human rights in Cyprus

501. In connection with agenda item 12 (a), the Commission had before it the following documents:

> Note verbale dated 22 July 1991 from the Permanent Mission of Turkey to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1992/3);
>
> Report of the Secretary-General provided pursuant to Commission decision 1991/106 (E/CN.4/1992/25);
>
> Letter dated 30 January 1992 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/67);
>
> Letter dated 28 February 1992 from the Deputy Permanent Representative, Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/83).

502. Statements 3/ were made by the following members of the Commission: Argentina (39th), Australia (43rd), Austria (41st), Brazil (42nd), Burundi (39th), China (41st), Cuba (44th), Cyprus (39th), Czech and Slovak Federal Republic (40th), India (41st), Japan (44th), Kenya (40th), Madagascar (44th), Mexico (40th), Nigeria (36th), Pakistan (34th), Philippines (39th), Portugal (on behalf of the European Community and its member States) (35th), Russian Federation (42nd), Syrian Arab Republic (43rd), Yugoslavia (39th).

503. The Commission also heard statements by the observers for: Greece (39th), Turkey (44th).

504. A statement was made by the observer for Switzerland (43rd).

505. Statements in exercise of the right of reply or its equivalent were made by the representative of Cyprus (44th, 45th) and the observer for Turkey (44th, 45th).

506. At the 46th meeting, on 27 February 1992, the Chairman proposed a draft decision postponing the debate on agenda item 12 (a) to the forty-ninth session of the Commission where it would be given due priority, it being understood that action required by previous resolutions of the Commission on that subject would continue to remain operative, including the request to the Secretary-General that he provide a report to the Commission regarding their implementation. The observer for Turkey requested that his reservations with respect to the previous decisions of the Commission be placed on record.

507. The Commission adopted the draft decision without a vote.

508. For the text as adopted, see chapter II, section B, decision 1992/106.

B. Situation of human rights in occupied Kuwait

509. In connection with agenda item 12 (b), the Commission had before it the following documents:

> Note by the Secretary-General on the situation of human rights in Kuwait under Iraqi occupation (A/46/544 and Corr. 1);
>
> Report on the situation of human rights in Kuwait under Iraqi occupation, prepared by Mr. Walter Kälin, Special Rapporteur of the Commission, in accordance with Commission resolution 1991/67 (E/CN.4/1992/26);
>
> Letter dated 2 January 1992 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1992/64).

510. At the 34th meeting, on 19 February 1992, the Special Rapporteur on the situation of human rights in Kuwait under Iraqi occupation, Mr. Walter Kälin, introduced his report (E/CN.4/1992/26) to the Commission.

511. Statements 3/ were made by the following members of the Commission: Austria (41st), Canada (42nd), Portugal (on behalf of the European Community and its member States) (35th), Russian Federation (42nd).

512. The Commission also heard statements by the observers for: Bahrain (40th), Finland (43rd), Kuwait (34th), Oman (41st), Qatar (34th), Sweden (39th), United Arab Emirates (36th).

513. Statements were also made by the following non-governmental organizations: American Association of Jurists (40th), Arab Organization for Human Rights (34th), World Movement of Mothers (36th).

514. Statements in exercise of the right of reply or its equivalent were made by the representative of Iraq (34th) and the observer for Kuwait (34th).

515. At the 52nd meeting, on 3 March 1992, the representative of Kuwait introduced draft resolution E/CN.4/1992/L.46, sponsored by Argentina, Australia, Bahrain*, Bhutan*, Costa Rica, Egypt*, the Gambia, Hungary, India, Kenya, Kuwait*, Lebanon*, Oman*, Pakistan, Portugal, Qatar*, Saudi Arabia*, Senegal, Somalia, the Syrian Arab Republic, the United Arab Emirates*, and the United States of America.

516. Statements relating to the draft resolution were made by the representative of Iraq and the observer for Kuwait.

517. At the same meeting, the representative of Iraq proposed amendments to draft resolution E/CN.4/1992/L.46, as follows:

(a) In operative paragraph 6, replace "the Government of Iraq" by "the Governments of Iraq, Kuwait and Saudi Arabia";

(b) In operative paragraph 7, replace "the Government of Iraq" by "the Governments of Iraq, Kuwait and Saudi Arabia" and replace "an eventual repatriation of Kuwaiti and third-country nationals detained and missing in Iraq" by "an eventual repatriation of Kuwaitis, Iraqis and third-country nationals detained and missing in Iraq, Kuwait and Saudi Arabia".

518. The representative of the United States of America requested a vote on the amendments proposed by the representative of Iraq. At the request of the representative of Iraq, a roll-call vote was taken. The amendments were rejected by 28 votes to 1, with 20 abstentions. The voting was as follows:

In favour: Iraq.

Against: Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Canada, Czech and Slovak Federal Republic, France, Gambia, Germany, Hungary, India, Indonesia, Italy, Japan, Kenya, Netherlands, Pakistan, Philippines, Portugal, Russian Federation, Senegal, Somalia, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Angola, Burundi, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Gabon, Ghana, Iran (Islamic Republic of), Lesotho, Madagascar, Mexico, Nigeria, Peru, Sri Lanka, Venezuela, Yugoslavia, Zambia.

519. A statement in explanation of vote after the vote was made by the representative of Iraq.

520. At the request of the representative of Iraq, a roll-call vote was taken on draft resolution E/CN.4/1992/L.46. The draft resolution was adopted by 47 votes to 1, with 1 abstention. The voting was as follows:

In favour:	Angola, Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czech and Slovak Federal Republic, France, Gambia, Germany, Ghana, Hungary, India, Indonesia, Iran (Islamic Republic of), Italy, Japan, Kenya, Lesotho, Madagascar, Mexico, Netherlands, Nigeria, Pakistan, Peru, Philippines, Portugal, Russian Federation, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Zambia.
Against:	Iraq.
Abstaining:	Gabon.

521. For the text as adopted, see chapter II, section A, resolution 1992/60.

C. Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990

522. The Commission considered item 12 (c) in closed session at its 31st and 32nd meetings, held on 18 February, and at its 53rd meeting (first part), on 4 March 1992. It had before it for consideration under Economic and Social Council resolution 1503 (XLVIII) the human rights situations in Bahrain, Chad, Myanmar, Somalia, the Sudan, the Syrian Arab Republic and Zaire, as publicly announced by the Chairman. The Chairman also announced that the Commission had decided to discontinue consideration of the human rights situation in the Syrian Arab Republic. The Chairman further announced that the Commission had also decided to discontinue consideration of the human rights situation in Myanmar under the confidential procedure governed by Council resolution 1503 (XLVIII), in view of the public procedure concerning the country established by Commission resolution 1992/58.

523. The Chairman reminded the members of the Commission that, in conformity with paragraph 8 of Council resolution 1503 (XLVIII), they should not make any reference in public debate to the confidential decisions taken under Council resolution 1503 (XLVIII) nor to any confidential material relating thereto.

524. In accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the Chairman will designate five members to serve in their personal capacity on the Working Group on Situations meeting prior to the forty-ninth session of the Commission in 1993.

XIII. MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

525. The Commission considered agenda item 13 at its 51st and 56th meetings, on 3 and 5 March 1992. 2/

526. The Commission had before it the report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (E/CN.4/1992/38).

527. At the 51st meeting, in the general debate on item 13, statements were made by the following members of the Commission: Mauritania (on behalf of the Maghreb Arab Union), Mexico.

528. At the same meeting, the Commission heard a statement by the observer for Turkey.

529. At the same meeting, the Commission also heard statements by the following non-governmental organizations: Commission of the Churches on International Affairs of the World Council of Churches, International Confederation of Free Trade Unions, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, International Indian Treaty Council, Movement against Racism and for Friendship among Peoples, Third World Movement against the Exploitation of Women, World Association for World Federation, World Confederation of Labour.

530. At the 56th meeting, the representative of Mexico introduced draft resolution E/CN.4/1992/L.60, sponsored by Algeria*, Argentina, Bolivia*, Colombia, Costa Rica, Cuba, the Czech and Slovak Federal Republic, Ecuador*, Egypt*, France, Greece*, Italy, Madagascar, Mauritania, Mexico, Morocco*, Panama*, Peru, Portugal, Romania*, Rwanda*, Senegal, Sweden*, Uruguay, Venezuela and Yugoslavia. Sao Tomé and Principe* and Tunisia subsequently joined the sponsors.

531. The draft resolution was adopted without a vote.

532. Statements in explanation of their delegations' positions were made by the representatives of Japan and the United States of America.

533. For the text as adopted, see chapter II, section A, resolution 1992/81.

XIV. IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

534. The Commission considered agenda item 14 concurrently with items 5 and 6 (see chaps. V and VI) at its 7th to 12th meetings, from 31 January to 4 February, and at its 37th meeting, on 21 February 1992. 2/

535. The Commission had before it the following documents:

Note by the Coordinator of United Nations activities for the Second Decade to Combat Racism and Racial Discrimination (A/C.3/46/2);

Report of the Secretary-General (E/1991/39);

Report of the Secretary-General (E/CN.4/1992/39);

Report of the Meeting of Experts to review the experience of countries in the operation of schemes of internal self-government for indigenous peoples (E/CN.4/1992/42 and Add.1);

Letters dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/71, E/CN.4/1992/72);

Letter dated 10 February 1992 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/74);

Written statement submitted by the Baha'i International Community, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/6).

536. In the general debate on item 14, statements 3/ were made by the following members of the Commission: Argentina (12th), Australia (11th), Bangladesh (11th), Brazil (10th), Canada (12th), Chile (11th), China (10th), Cuba (12th), Cyprus (11th), France (9th), India (12th), Indonesia (12th), Japan (11th), Libyan Arab Jamahiriya (12th), Mexico (9th), Nigeria (10th), Russian Federation (10th), Senegal (12th), United States of America (9th), Yugoslavia (11th), Zambia (12th).

537. The Commission also heard statements by the observers for: Algeria (12th), Denmark (11th), Egypt (9th), Finland (on behalf of Denmark, Finland, Iceland, Norway and Sweden) (10th), Morocco (10th), Sudan (12th), United Republic of Tanzania (12th).

538. The representative of the International Labour Organisation made a statement (10th).

539. The Commission also heard statements by the following non-governmental organizations: International Association against Torture (11th), International Federation of Human Rights (8th), International Indian Treaty Council (9th), International Movement for Fraternal Union among Races and Peoples (11th), Movement against Racism and for Friendship among Peoples (8th), Pax Romana (10th).

540. A joint statement was made by the International Commission of Jurists (9th) on behalf of the following non-governmental organizations: African Association of Education for Development, All-India Women's Conference, Andean Commission of Jurists, Arab Organization for Human Rights, Associated Country Women of the World, Centre Europe - Tiers Monde, Human Rights Advocates, International Association of Democratic Lawyers, International Alliance of Women, International Commission of Jurists, International Council of Women, International Council of Jewish Women, International Federation of Human Rights, International Federation of Rural Adult Catholic Movements, International Federation Terre des Hommes, International Fellowship of Reconciliation, International Indian Treaty Council, International League for the Rights and Liberation of Peoples, International Movement for Fraternal Union among Races and Peoples, International PEN, Minority Rights Group, Movement against Racism and for Friendship among Peoples, Pax Christi, Socialist International Women, World Confederation of Labour, World Federation of Methodist Women, World Federation of United Nations Associations, World Jewish Congress, World Movement of Mothers, World Union of Catholic Women's Organizations.

541. A statement equivalent to the right of reply was made by the observer for Nicaragua (11th).

542. At its 37th meeting, the Commission took up consideration of draft resolution E/CN.4/1992/L.22 submitted under agenda item 14.

543. The representative of Senegal introduced draft resolution E/CN.4/1992/L.22, sponsored by Algeria*, Angola, Bangladesh, Brazil, Burundi, Cameroon*, China, Colombia, Costa Rica, Côte d'Ivoire*, Cuba, Egypt*, Ethiopia*, Gabon, Ghana, Guatemala*, Haiti*, India, Indonesia, the Islamic Republic of Iran, Kenya, Kuwait*, Lesotho, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Morocco*, Nigeria, Pakistan, Panama*, Peru, the Philippines, Rwanda*, Sao Tome and Principe*, Senegal, Somalia, Sri Lanka, the Sudan*, the Syrian Arab Republic, Tunisia, the United Republic of Tanzania*, Venezuela, Yugoslavia, Zaire*, Zambia and Zimbabwe*.

544. The draft resolution was adopted without a vote.

545. Statements in explanation of their delegations' positions were made by the representatives of Australia, France and the United States of America.

546. For the text as adopted, see chapter II, section A, resolution 1992/8.

XV. STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

547. The Commission considered agenda item 15 concurrently with items 7, 8 and 16 (see chaps. VII, VIII and XVI) at its 12th to 16th meetings, from 4 to 6 February, and at its 38th meeting, on 21 February 1992. 2/

548. The Commission had before it the following documents:

> Report of the Secretary-General on the Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights (A/46/393);
>
> Letter dated 5 December 1991 from the Chargé d'affaires of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/61);
>
> Written statement submitted by the International Human Rights Law Group, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/44).

549. In the general debate on item 15, statements 3/ were made by the following members of the Commission: Australia (13th), Austria (15th), Bulgaria (13th), Cyprus (16th), Hungary (15th), Italy (16th), Netherlands (16th), Russian Federation (15th), United Kingdom of Great Britain and Northern Ireland (16th).

550. The Commission also heard statements by the observers for: Finland (16th), Rwanda (16th), Sao Tome and Principe (13th).

551. The representative of the International Labour Organisation made a statement (16th).

552. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (16th), Centre Europe - Tiers Monde (13th), International League for the Rights and Liberation of Peoples (15th), Latin American Federation of Associations of Relatives of Disappeared Detainees (16th).

553. On 18 February 1992, a draft resolution (E/CN.4/1992/L.9) had been submitted by Afghanistan*, Algeria*, Burundi, Cameroon*, Egypt*, Ethiopia*, Gabon, Ghana, Kenya, the Libyan Arab Jamahiriya, Lesotho, Nigeria, Rwanda*, Sao Tome and Principe*, Senegal, Somalia, the Sudan*, Tunisia, Zambia and Zimbabwe*, reading as follows:

Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid

"*The Commission on Human Rights*,

"*Recalling* General Assembly resolutions 41/103 of 4 December 1986, 42/56 of 30 November 1987, 43/97 of 8 December 1988, 44/69 of 8 December 1989, 45/90 of 14 December 1990 and 46/84 of 16 December 1991,

"*Recalling* its resolutions 10 (XXXV) of 5 March 1979, 13 (XXXVI) of 26 February 1980, 6 (XXXVII) of 23 February 1981, 1982/10 of 25 February 1982, 1983/12 of 18 February 1983, 1984/7 of 28 February 1984, 1985/10 of 26 February 1985, 1986/7 of 28 February 1986, 1987/11 of 26 February 1987, 1988/14 of 29 February 1988, 1989/8 of 23 February 1989, 1990/12 of 23 February 1990 and 1991/10 of 22 February 1991,

"*Mindful* that the International Convention on the Suppression and Punishment of the Crime of Apartheid constitutes an important international treaty in the field of human rights and serves to implement the ideals of the Universal Declaration of Human Rights,

"*Recalling also* its resolution 7 (XXXIV) of 22 February 1978, in which it called upon States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid to submit, in accordance with article VII of the Convention, their first report not later than two years after becoming parties to the Convention and their periodic reports at two-year intervals,

"*Convinced* that apartheid is a crime against humanity and constitutes a total negation of the purposes and principles of the Charter of the United Nations and a gross violation of basic human rights,

"*Condemning* the policy and system of apartheid and the repression it engenders, which continue to aggravate the situation in South Africa,

"*Emphasizing* that the root cause of the conflict in South Africa is apartheid,

"*Deeply concerned* at the continued collaboration of certain States and transnational corporations with the apartheid regime of South Africa, particularly in the political, economic, military and other fields, as an encouragement of its policy of apartheid,

"*Reaffirming its conviction* that it is the responsibility of the United Nations and the international community as a whole to assist the people of South Africa to eliminate apartheid,

"*Noting with satisfaction* that three States acceded to the Convention in 1991, thus bringing the total number of accessions to 92, "Convinced that universal ratification of or accession to the Convention and the immediate implementation of its provisions will contribute to the eradication of the crime of apartheid,

"Drawing attention to the need to strengthen the various mechanisms for combating apartheid, inter alia, through the establishment of an international penal tribunal as provided for in article V of the Convention,

"1. Takes note of the report of the Secretary-General to the General Assembly at its forty-sixth session (A/46/391) on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid;

"2. Commends those States parties to the Convention that have submitted their reports under article VII thereof;

"3. Requests the States parties to the Convention to continue to submit their initial reports not later than two years after the entry into force of the Convention for the States parties concerned and their periodic reports at four-year intervals, on the understanding that they may submit additional information to the Group of Three at any time in the intervening period if they wish to do so;

"4. Recommends that all States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid should take full account of the general guidelines for the submission of reports laid down in 1978 by the Group of Three established under article IX of the Convention (E/CN.4/1286, annex);

"5. Appeals to all States, United Nations organs, the specialized agencies and international and national non-governmental organizations to step up their activities to enhance public awareness by denouncing the crimes committed by the racist regime, with a view to promoting further ratification of or accession to the Convention;

"6. Appeals once again to States parties to strengthen their cooperation at the national and international levels in order to implement fully the decisions taken by the Security Council and other competent United Nations bodies with a view to the prevention, suppression and punishment of the crime of apartheid in accordance with article VI of the Convention and with the Charter of the United Nations;

"7. Underlines the importance of the universal ratification of the Convention, which would be an effective contribution to the fulfilment of the ideals of the Universal Declaration of Human Rights and other human rights instruments;

"8. Appeals once again to those States that have not yet done so to ratify or to accede to the Convention without further delay;

"9. Emphasizes the importance of measures to be taken in the field of teaching and education with a view to familiarizing the population with evils of apartheid and to ensure fuller implementation of the Convention;

"10. Requests the Secretary-General to invite States parties to the Convention, the specialized agencies and the non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the types of crimes of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa;

"11. Also requests the Secretary-General to intensify his effort, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;

"12. Requests the Group of Three to report to the Commission on Human Rights at its forty-ninth session;

"13. Further requests the Secretary-General to provide all necessary assistance to the Group of Three."

554. The draft resolution was subsequently withdrawn by the sponsors.

555. At its 38th meeting, the Commission took up consideration of draft resolution E/CN.4/1992/L.19 submitted under agenda item 15.

556. The observer for Norway introduced draft resolution E/CN.4/1992/L.19, sponsored by Australia, Austria, Bulgaria, Cameroon*, Canada, Chile, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Ecuador*, El Salvador*, Finland*, Hungary, Italy, the Netherlands, New Zealand*, Nicaragua*, Norway*, Poland*, Portugal, the Russian Federation, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Argentina and Iceland* subsequently joined the sponsors.

557. The draft resolution was adopted without a vote.

558. For the text as adopted, see chapter II, section A, resolution 1992/14.

XVI. EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS

559. The Commission considered agenda item 16 concurrently with items 7, 8 and 15 (see chaps. VII, VIII and XV) at its 12th to 16th meetings, from 4 to 6 February, and at its 38th meeting, on 21 February 1992. 2/

560. The Commission had before it the following documents:

> Report of the Secretary-General on the effective implementation of United Nations instruments on human rights and the effective functioning of bodies established pursuant to such instruments (A/46/503);
>
> Report of the Secretary-General on the implications of full funding for the operation of all human rights treaty bodies (A/46/650);
>
> Report of the Secretary-General (E/CN.4/1992/44);
>
> Written statement submitted by Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/7).

561. In the general debate on item 16, statements 3/ were made by the following members of the Commission: Australia (13th), Austria (15th), Cyprus (16th), Hungary (15th), Italy (16th), Netherlands (16th), Russian Federation (15th), United Kingdom of Great Britain and Northern Ireland (16th).

562. The Commission also heard a statement by the observer for Finland (16th).

563. The representative of the International Labour Organisation made a statement (16th).

564. At the 38th meeting, the representative of Canada introduced draft resolution E/CN.4/1992/L.18, sponsored by Australia, Austria, Canada, Costa Rica, Finland*, Germany, Hungary, Italy, New Zealand*, Norway*, Portugal, Sweden* and Yugoslavia. The Czech and Slovak Federal Republic, Denmark*, France, Greece*, the Netherlands, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and Uruguay subsequently joined the sponsors.

565. In introducing the draft resolution, the representative of Canada orally revised it as follows:

(a) In operative paragraph 5, the words "the extent of" were inserted between the words "the question of" and "reservations"; and the words "and their legal effect" were deleted;

(b) In operative paragraph 11, the words "as a matter of the highest priority" were replaced by the words "take appropriate measures to".

566. A statement in explanation of his delegation's position was made by the representative of the United States of America.

567. The draft resolution, as orally revised, was adopted without a vote.

568. Statements in explanation of their delegations' positions were made by the representatives of Japan and the Philippines.

569. For the text as adopted, see chapter II, section A, resolution 1992/15.

XVII. REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-THIRD SESSION

570. The Commission considered agenda item 17 at its 25th to 28th meetings on 13 and 14 February, at its 48th meeting, on 28 February, and at its 52nd and 54th meetings, on 3 and 4 March 1992. 2/

571. The Commission had before it the following documents:

Report of the Secretary-General on preparation and organization of the International Year for the World's Indigenous People (A/46/543);

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-third session (E/CN.4/1992/2);

Report of the Secretary-General on the draft programme of action for the elimination of the exploitation of child labour prepared pursuant to Commission resolutions 1991/54 and 1991/55 (E/CN.4/1992/45);

Report of Mr. L. Joinet, Chairman of the Sub-Commission at its forty-third session, prepared in accordance with paragraph 20 of Commission resolution 1991/56 (E/CN.4/1992/46);

Note by the Secretary-General (E/CN.4/1992/47);

Written statement submitted by the Indian Council of South America, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/17);

Written statement submitted by the Baha'i International Community, the Friends World Committee for Consultation, the International Association for Religious Freedom, the International Association for the Defence of Religious Liberty, the International Commission of Jurists, the International Council of Jewish Women, the Lutheran World Federation and Pax Romana, non-governmental organizations in consultative status (category II); and the World Union for Progressive Judaism, a non-governmental organization on the Roster (E/CN.4/1992/NGO/26);

Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/42);

Written statement submitted by Human Rights Advocates, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/43).

572. At the 25th meeting, Mr. L. Joinet, Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session, introduced his report (E/CN.4/1992/46), prepared in accordance with paragraph 20 of Commission resolution 1991/56.

573. In the general debate on item 17, statements 3/ were made by the following members of the Commission: Australia (26th), Austria (27th), Brazil (26th), Canada (26th), Chile (26th), China (26th), France (26th), Hungary (26th), Iran (Islamic Republic of) (27th), Netherlands (26th), Russian Federation (26th), United Kingdom of Great Britain and Northern Ireland (28th), United States of America (26th).

574. The Commission heard statements by the observers for New Zealand (26th) and Norway (26th).

575. The representative of the World Health Organization made a statement (26th).

576. The Commission also heard statements by the following non-governmental organizations: Grand Council of The Crees (of Quebec) (28th), Human Rights Advocates (28th), Indian Council of South America (26th), International Association against Torture (28th), International Association of Educators for World Peace (28th), International Fellowship of Reconciliation (28th), International Indian Treaty Council (28th), International League for the Rights and Liberation of Peoples (28th), Latin American Federation of Associations of Relatives of Disappeared Detainees (28th), Pax Christi (28th), Women's International League for Peace and Freedom (28th), World Association for World Federation (28th), World Federation for Mental Health (28th).

577. A joint statement was made by the International Council of Jewish Women (28th) on behalf of the following non-governmental organizations: All-India Women's Conference, Associated Country Women of the World, Baha'i International Community, International Alliance of Women, International Council of Jewish Women, International Council of Women, International Federation of University Women, International Federation of Women Lawyers, International Fellowship of Reconciliation, International League for the Rights and Liberation of Peoples, International Movement for Fraternal Union among Races and Peoples, Soroptimist International, World Federation of Methodist Women, World Union of Catholic Women's Organizations.

578. A statement in exercise of the right of reply was made by the representative of Iraq (26th).

579. At its 48th meeting, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 17.

580. The Commission considered draft resolution IX recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

581. The draft resolution was adopted without a vote.

582. For the text as adopted, see chapter II, section A, resolution 1992/36.

583. At the same meeting, the Commission considered draft decision 3 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

584. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of the draft decision (see E/CN.4/1992/2, annex III, resolution 1991/23).

585. The draft decision was adopted without a vote.

586. For the text as adopted, see chapter II, section B, decision 1992/109.

587. At the same meeting, the Commission considered draft decision 4 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

588. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of the draft decision (see E/CN.4/1992/2, annex III, resolution 1991/24).

589. At the request of the representative of the United States of America, a vote was taken on draft decision 4. The draft decision was adopted by 50 votes to 1, with 1 abstention.

590. For the text as adopted, see chapter II, section B, decision 1992/110.

591. A statement in explanation of vote after the vote was made by the representative of Japan.

592. At the same meeting, the Commission considered draft decision 12 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

593. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of the draft decision (see E/CN.4/1992/2, annex III, decision 1991/111).

594. The draft decision was adopted without a vote.

595. For the text as adopted, see chapter II, section B, decision 1992/111.

596. At its 52nd meeting, the Commission resumed its consideration of draft resolutions and decisions submitted under agenda item 17.

597. The representative of Canada introduced draft resolution E/CN.4/1992/L.53 sponsored by Australia, Canada, Chile, Colombia, Costa Rica, Cyprus, Finland*, the Gambia, Greece*, Guatemala*, Honduras*, Hungary, the Islamic Republic of Iran, Mexico, New Zealand*, Norway*, Peru, Sweden* and Uruguay. Denmark* and Sao Tome and Principe* subsequently joined the sponsors.

598. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.53.

599. The draft resolution was adopted without a vote.

600. For the text as adopted, see chapter II, section A, resolution 1992/44.

601. In view of the adoption of resolution 1992/44 (see paras. 596-599), the Commission decided to take no action on draft decision 7, recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992, chap. I, sect. B).

602. At the same meeting, the representative of Canada introduced draft resolution E/CN.4/1992/L.54 sponsored by Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Finland*, Gabon, the Gambia, Greece*, Guatemala*, Honduras*, Hungary, Japan, Madagascar, Mexico, New Zealand*, Norway*, Peru, the Russian Federation, Senegal, Sweden* and Uruguay. Denmark*, Kenya, Mauritania, Nigeria, the Philippines and Sao Tome and Principe* subsequently joined the sponsors.

603. The draft resolution was adopted without a vote.

604. For the text as adopted, see chapter II, section A, resolution 1992/45.

605. In view of the adoption of resolution 1992/45 (see paras. 602-604), the Commission decided to take no action on draft decision 13 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

606. At the same meeting, the representative of the Netherlands introduced draft resolution E/CN.4/1992/L.57, sponsored by Colombia, Costa Rica, Cyprus, Greece*, Denmark*, the Netherlands, Poland*, Portugal and Romania*. Nigeria subsequently joined the sponsors.

607. A statement in connection with the draft resolution was made by the representative of Senegal.

608. The draft resolution was adopted without a vote.

609. For the text as adopted, see chapter II, section A, resolution 1992/46.

610. Also at the 52nd meeting, the representative of the Netherlands introduced draft resolution E/CN.4/1992/L.58, sponsored by Belgium*, Colombia, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, the Gambia, Greece*, Iceland*, the Islamic Republic of Iran, the Netherlands, Norway*, the Philippines, Poland*, Portugal and Romania*. Sao Tome and Principe* subsequently joined the sponsors.

611. The draft resolution was adopted without a vote.

612. A statement in explanation of his delegation's position was made by the representative of the United States of America.

613. For the text as adopted, see chapter II, section A, resolution 1992/47.

614. At the same meeting, the representative of Canada introduced draft resolution E/CN.4/1992/L.75, sponsored by Algeria*, Argentina, Australia, Austria, Canada, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, El Salvador*, Finland*, France, Greece*, Hungary, Iceland*, Italy, Kenya, Mauritania, Norway*, the Philippines, the Russian Federation, Senegal, Sweden*, the United States of America and Zimbabwe*. Colombia, Cuba, Denmark*, Gabon, Germany, the Islamic Republic of Iran, Kuwait*, Somalia, the United Kingdom of Great Britain and Northern Ireland and Venezuela subsequently joined the sponsors.

615. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.75.

616. The draft resolution was adopted without a vote.

617. For the text as adopted, see chapter II, section A, resolution 1992/48.

618. In view of the adoption of resolution 1992/48 (see paras. 614-617), the Commission decided to take no action on draft resolution IV, recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

619. Also at its 52nd meeting, the Commission considered draft resolution V recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

620. At the same meeting, the representative of the Netherlands introduced a draft amendment (E/CN.4/1992/L.78) to draft resolution V, sponsored by Austria, France, the Netherlands and Portugal, which consisted in replacing, by a new paragraph, operative paragraph 4 which read:

> "Invites Mr. Mazilu to consult governmental and non-governmental organizations in order to elaborate further and to complete his work on the draft charter of the rights and freedoms of youth throughout the world, with a view to submitting the final version of the draft to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its forty-fourth session, for its consideration of follow-up to this draft charter."

621. The amendment was adopted without a vote.

622. Draft resolution V, as amended, was adopted without a vote.

623. For the text as adopted, see chapter II, section A, resolution 1992/49.

624. Also at its 52nd meeting, the Commission considered draft resolution VIII recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

625. At the same meeting, the representative of the Netherlands introduced a draft amendment (E/CN.4/1992/L.80) to draft resolution VIII, sponsored by Australia, Austria, France and the Netherlands, which consisted in replacing, by two new operative paragraphs 1 and 2, the operative paragraph which read:

> "Decides to study the question of the fraudulent enrichment of top State officials prejudicial to the public interest under item 7 of its agenda concerning the question of the realization in all countries of the economic, social and cultural rights proclaimed in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights."

626. The amendment was adopted without a vote.

627. The representative of India orally proposed to amend draft resolution VIII, as amended, by inserting the words "the factors responsible for it and the agents involved in all countries in such fraudulent enrichment" after the words "fraudulent enrichment of top State officials prejudicial to the public interest" in the title as well as in operative paragraph 1.

628. Statements relating to the amendment proposed by India were made by the representatives of Colombia and Sri Lanka.

629. The amendment was adopted without a vote.

630. The representative of Japan requested a separate vote on the ninth preambular paragraph of draft resolution VIII, as amended. At the request of the representative of Cuba, a roll-call vote was taken.

631. Statements in explanation of vote before the vote were made by the representatives of Japan and Pakistan.

632. The ninth preambular paragraph was adopted by 31 votes to 4, with 17 abstentions. The voting was as follows:

In favour: Angola, Bangladesh, Burundi, China, Colombia, Cuba, Cyprus, Gabon, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Philippines, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Venezuela, Yugoslavia, Zambia.

Against: Australia, Canada, Japan, United States of America.

Abstaining: Argentina, Austria, Brazil, Bulgaria, Chile, Costa Rica, Czech and Slovak Federal Republic, France, Germany, Hungary, Italy, Netherlands, Peru, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, Uruguay.

633. At the request of the representative of Japan, a vote was taken on draft resolution VIII, as amended. The draft resolution as a whole was adopted by 49 votes to none, with 2 abstentions.

634. Statements in explanation of vote after the vote were made by the representatives of the Netherlands and the United States of America.

635. For the text as adopted, see chapter II, section A, resolution 1992/50.

636. Also at its 52nd meeting, the Commission considered draft decision 8 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

637. The draft decision was adopted without a vote.

638. A statement in explanation of his delegation's position was made by the representative of Brazil.

639. For the text as adopted, see chapter II, section B, decision 1992/113.

640. Also at its 52nd meeting, the Commission considered draft decision 9 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

641. The representative of Canada orally amended draft decision 9 by replacing "before the conclusion of the International Year for the World's Indigenous People" by "to be submitted to the Sub-Commission at its forty-fifth session in 1993".

642. The draft decision, as orally amended, was adopted without a vote.

643. Statements in explanation of their delegations' positions were made by the representatives of Brazil and the United States of America.

644. For the text as adopted, see chapter II, section B, decision 1992/114.

645. At the same meeting, the Commission considered draft decision 10 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

646. The draft decision was adopted without a vote.

647. A statement in explanation of his delegation's position was made by the representative of the United States of America.

648. For the text as adopted, see chapter II, section B, decision 1992/115.

649. At its 54th meeting, on 4 March 1992, the Commission resumed its consideration of the draft resolutions and decisions submitted under agenda item 17.

650. The representative of Germany introduced draft resolution E/CN.4/1992/L.61, sponsored by Albania*, Argentina, Austria, the Czech and Slovak Federal Republic, Denmark*, El Salvador*, France, Gabon, the Gambia, Germany, Greece*, Hungary, the Netherlands, Norway*, the Philippines, Poland*, Portugal, the Russian Federation, Senegal, Spain*, Sweden* and the United Kingdom of Great Britain and Northern Ireland. Japan subsequently joined the sponsors.

651. Statements relating to the draft resolution were made by the representatives of Cuba, France, Germany, the Libyan Arab Jamahiriya, Senegal and the Syrian Arab Republic.

652. The representative of the Libyan Arab Jamahiriya proposed to amend operative paragraph 7 as follows:

(a) In subparagraph (d), replace the word "Initiatives" by the word "Proposals";

(b) In subparagraph (e), replace the word "Initiatives" by the word "Proposals", and delete the words "including, if necessary, the merger or ending of certain agenda items".

653. The representative of the Syrian Arab Republic, in accordance with rule 49 of the rules of procedure of the functional commissions of the Economic and Social Council, moved to adjourn consideration of draft resolution E/CN.4/1992/L.61. The motion was rejected by 28 votes to 2, with 15 abstentions.

654. Statements relating to the motion were made by the representatives of Germany and Portugal.

655. A statement relating to the amendments was made by the representative of Germany.

656. The representative of Cuba requested a separate vote on operative paragraph 7, as amended.

657. A statement in explanation of vote before the vote was made by the representative of Cuba.

658. Operative paragraph 7, as amended, was adopted by 31 votes to 11, with 6 abstentions.

659. At the request of the representative of Cuba, a vote was taken on draft resolution E/CN.4/1992/L.61, as amended. The draft resolution as a whole, as amended, was adopted by 40 votes to none, with 11 abstentions.

660. A statement in explanation of vote after the vote was made by the representative of China.

661. For the text as adopted, see chapter II, section A, resolution 1992/66.

662. In view of the adoption of resolution 1992/66 (see paras. 650-661), the Commission decided to take no action on draft decision 14, recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

XVIII. RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

663. The Commission considered agenda item 18 at its 17th to 20th meetings, from 7 to 10 February, at its 38th meeting, on 21 February, and at its 52nd and 54th meetings, on 3 and 4 March 1992. 2/

664. The Commission had before it the following documents:

Report of the working group on the rights of persons belonging to national, ethnic, religious and linguistic minorities (E/CN.4/1992/48 and Corr.1);

Letter dated 2 December 1991 from the Permanent Representative of Ukraine to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/59);

Preliminary report on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities submitted by Mr. Asbjørn Eide, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1991/43);

Written statement submitted by Pax Christi, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/31).

665. At the 17th meeting, on 7 February 1992, Mrs. Zagorca Ilic, Chairman-Rapporteur of the working group on the rights of persons belonging to national, ethnic, religious and linguistic minorities, introduced the report of the working group (E/CN.4/1992/48 and Corr.1) to the Commission.

666. In the general debate on item 18, statements 3/ were made by the following members of the Commission: Australia (17th), Austria (17th), Bulgaria (17th), China (17th), Hungary (17th), Italy (17th), Netherlands (17th), Nigeria (19th), Russian Federation (17th), United States of America (17th).

667. The Commission also heard statements by the observers for: Finland (on behalf of Denmark, Finland, Iceland, Norway and Sweden) (17th), Lithuania (19th), Poland (18th).

668. The Commission also heard statements by the following non-governmental organizations: Baha'i International Community (17th), Commission for the Defense of Human Rights in Latin America (17th), Indian Council of South America (17th), International Association against Torture (18th), International Federation of Human Rights (17th), International Fellowship of Reconciliation (18th), International Work Group for Indigenous Affairs (18th), Latin American Federation of Associations of Relatives of Disappeared Detainees (20th), Minority Rights Group (18th), Women's International League for Peace and Freedom (18th).

669. A statement in exercise of the right of reply was made by the representative of Costa Rica (18th).

670. At its 38th meeting, on 21 February 1992, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 18.

671. The representative of Yugoslavia introduced draft resolution E/CN.4/1992/L.16 sponsored by Australia, Austria, the Czech and Slovak Federal Republic, Finland*, Greece*, Hungary, Italy, the Netherlands, Norway*, Poland*, the Russian Federation, Sweden*, Uruguay and Yugoslavia. Costa Rica, Gabon, Sao Tome and Principe* and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

672. The representative of Senegal and the observer for Turkey made statements in connection with the draft resolution.

673. The draft resolution was adopted without a vote.

674. A statement in explanation of his delegation's position was made by the representative of Germany.

675. The representative of Yugoslavia made a statement in connection with the adopted resolution.

676. For the text as adopted, see chapter II, section A, resolution 1992/16.

677. At its 52nd meeting, on 3 March 1992, the Commission resumed consideration of the draft resolutions and decisions submitted under agenda item 18 of the agenda.

678. The representative of Italy introduced draft resolution E/CN.4/1992/L.72, sponsored by Austria, Bulgaria, Czech and Slovak Federal Republic, France, Greece*, Italy, Norway*, Portugal, Romania* and Spain*. Cuba and Switzerland* subsequently joined the sponsors.

679. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.72.

680. A request for a vote on the draft resolution was made by the representative of Germany.

681. A statement in explanation of vote before the vote was made by the representatives of Germany and the United States of America.

682. Upon the proposal made by the representative of Japan, consideration of the draft resolution was postponed.

683. At its 54th meeting, on 4 March 1992, the Commission resumed consideration of draft resolution E/CN.4/1992/L.72.

684. The representative of Italy revised the draft resolution as follows:

(a) In the third preambular paragraph, "article 27 of the Covenant on Civil and Political Rights" were replaced by "the International Convention on the Elimination of All Forms of Racial Discrimination and the principles contained therein";

(b) In operative paragraph 2, after "Roma (gypsies)", delete "and to guarantee the protection and security of the Roma originally resident on the territory".

685. The representative of Germany orally proposed to amend the draft resolution, as revised, as follows:

(a) In operative paragraph 1, after "Roma (gypsies)", replace "live" by "have been traditionally residing as subjects of these States";

(b) In operative paragraph 2, insert "respective" between "Invites" and "States".

686. The representative of Nigeria proposed to amend operative paragraph 2 by inserting "concerned" between "States" and "to adopt".

687. The representative of Japan proposed to amend operative paragraph 1 as follows:

(a) Between "specific conditions" and "in which", insert "in the States";

(b) Replace "live" by "traditionally reside as subjects of these States".

688. Statements relating to the proposed amendments were made by the representatives of Austria, the Czech and Slovak Federal Republic, France, Germany and Senegal.

689. The representative of Germany, concurring with the amendments proposed by the representatives of Japan and Nigeria, requested a separate vote on these amendments.

690. The amendments were rejected by 16 votes to 3, with 27 abstentions.

691. The representative of Germany requested a vote on the draft resolution, as revised.

692. The draft resolution, as revised, was adopted by 43 votes to none, with 8 abstentions.

693. A statement in explanation of vote after the vote was made by the representative of Germany.

694. For the text as adopted, see chapter II, section A, resolution 1992/65.

695. In view of the adoption of resolution 1992/65 (see paras. 678-694), the Commission decided to take no action on draft resolution VI, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. A).

696. At the 52nd meeting, on 3 March 1992, the representative of Italy introduced draft decision E/CN.4/1992/L.73 sponsored by Austria, the Czech and Slovak Federal Republic, France, Germany, Greece*, Italy, the Netherlands, Norway*, Portugal, the Russian Federation, Spain* and Yugoslavia.

697. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft decision E/CN.4/1992/L.73.

698. The draft decision was adopted without a vote.

699. For the text as adopted, see chapter II, section B, decision 1992/112.

700. In view of the adoption of decision 1992/112 (see paras. 696-699), the Commission decided to take no action on draft decision 2, recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1992/2, chap. I, sect. B).

XIX. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

701. The Commission considered agenda item 19 at its 42nd and 46th meetings, on 25 and 27 February, at its 50th and 51st meetings, on 2 to 3 March, and at its 56th meeting on 5 March 1992. 2/

702. The Commission had before it the following documents:

Report by the Independent Expert, Mr. Christian Tomuschat, on the situation of human rights in Guatemala, prepared in accordance with paragraph 11 of Commission resolution 1991/51 (E/CN.4/1992/5);

Report of the Secretary-General (E/CN.4/1992/49);

Report on the human rights situation in Haiti, prepared by Mr. Marco Tulio Bruni Celli, Independent Expert, in accordance with Commission resolution 1991/77 (E/CN.4/1992/50 and Add.1);

Report on Equatorial Guinea, prepared by the Expert, Mr. Fernando Volio Jiménez, in accordance with paragraph 8 of Commission resolution 1991/80 (E/CN.4/1992/51);

Letter dated 28 January 1992 from the Permanent Mission of Guatemala to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/69);

Written statement submitted by International League for the Rights and Liberation of Peoples, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/11);

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/15);

Written statement submitted by the Lawyers Committee for Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/20);

Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status (category I) (E/CN.4/1992/NGO/36).

703. At the 42nd meeting, on 25 February 1992, Mr. C. Tomuschat, Independent Expert on Guatemala, introduced his report (E/CN.4/1992/5) to the Commission.

704. At the 46th meeting, on 27 February 1992, Mr. M.T. Bruni Celli, Independent Expert, appointed by the Secretary-General, on the situation of human rights in Haiti, introduced his report (E/CN.4/1992/50 and Add.1) to the Commission.

705. At the same meeting, Mr. F. Volio Jiménez, the Expert on the situation in Equatorial Guinea, introduced his report (E/CN.4/1992/51) to the Commission.

706. At the 50th meeting, on 2 March 1992, in the general debate on item 19, statements were made by the following members of the Commission: Austria, Bulgaria, Chile, Colombia, Costa Rica, Czech and Slovak Federal Republic, Gambia, Germany, Italy, Netherlands, the Russian Federation, Senegal, Tunisia, United States of America, Uruguay, Venezuela.

707. At the same meeting, the Commission heard statements by the observers for: Belgium, Guatemala, Ireland, Mongolia, Norway (on behalf of Denmark, Finland, Iceland, Norway and Sweden), Poland, Sao Tome and Principe.

708. Also at the same meeting, the observer for Switzerland made a statement.

709. The Commission also heard statements 3/ by the following non-governmental organizations: American Association of Jurists (50th), Centre Europe - Tiers Monde (50th), Commission for the Defence of Human Rights in Central America (50th), Conference of European Churches (50th), Four Directions Council (50th), International Association against Torture (50th), International Commission of Jurists (50th), International Educational Development, Inc. (50th), International Federation of Human Rights (50th), International Indian Treaty Council (50th), International League for the Rights and Liberation of Peoples (50th), International Movement for Fraternal Union among Races and Peoples (50th), International Peace Bureau (50th), Latin American Federation of Associations of Relatives of Disappeared Detainees (51st), Lawyers Committee for Human Rights (50th), Romani Union (50th), Service, Peace and Justice in Latin America (50th), World Confederation of Labour (50th), World Alliance of Reformed Churches (50th), World University Service (50th).

710. A statement equivalent to the right of reply was made by the observer for Morocco (51st).

711. At its 56th meeting, on 5 March 1992, the Commission took up consideration of the draft resolutions submitted under agenda item 19.

712. The representative of Venezuela introduced draft resolution E/CN.4/1992/L.63, sponsored by Argentina, Austria, Barbados, Belgium*, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark*, Finland*, France, Germany, Greece*, Haiti*, Hungary, Ireland*, Italy, Luxembourg*, Mexico, the Netherlands, Norway*, Peru, Portugal, Spain*, Sweden*, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Japan, Switzerland* and the United States of America subsequently joined the sponsors.

713. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.63.

714. Statements relating to the draft resolution were made by the representatives of Chile and Senegal.

715. The draft resolution was adopted without a vote.

716. For the text as adopted, see chapter II, section A, resolution 1992/77.

717. At the same meeting, the representative of Argentina introduced draft resolution E/CN.4/1992/L.65, sponsored by Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico, Peru, Uruguay and Venezuela.

718. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.65.

719. The draft resolution was adopted without a vote.

720. Statements in explanation of their delegations' positions were made by the representatives of Canada and Portugal.

721. For the text as adopted, see chapter II, section A, resolution 1992/78.

722. At the same meeting, the representative of Costa Rica introduced draft resolution E/CN.4/1992/L.71, sponsored by, Colombia, Costa Rica and Peru.

723. In introducing the draft resolution, the representative of Costa Rica orally revised operative paragraph 18 as follows:

(a) The words "'Advisory services in the field of human rights' or the item" were deleted before the word "'Question'";

(b) The words "in the light of the above-mentioned study and of" were replaced by "unless there is a significant improvement in".

724. The representatives of Costa Rica and the Libyan Arab Jamahiriya made statements in connection with the revised draft resolution.

725. The observer for Equatorial Guinea also made a statement.

726. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.71, as revised.

727. The draft resolution, as orally revised, was adopted without a vote.

728. For the text as adopted, see chapter II, section A, resolution 1992/79.

729. On 27 February 1992, a draft resolution (E/CN.4/1992/L.83) was submitted by Albania*, Austria, Belgium*, Bulgaria, Burundi, Canada, Costa Rica, Cyprus, the Czech and Slovak Federal Republic, Denmark*, El Salvador*, Finland*, France, the Gambia, Germany, Greece*, Ireland*, Italy, Japan, Lesotho, Madagascar, the Netherlands, New Zealand*, Norway*, Peru, the Philippines, Poland*, the Russian Federation, Sweden*, and Switzerland*, reading as follows:

"Advisory Services and Voluntary Fund for Technical Cooperation in the Field of Human Rights

"The Commission on Human Rights,

"Recalling General Assembly resolution 926 (X) of 14 December 1955, in which the Assembly established the United Nations programme of advisory services in the field of human rights and in particular its provision that advisory services shall be rendered by the Secretary-General solely at the request of Governments,

"Recalling its resolution 1985/26 of 11 March 1985 and its resolutions 1991/49 and 1991/50 of 5 March 1991,

"Recalling, in particular, the establishment by the Secretary-General on 16 November 1987 of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights pursuant to Commission resolution 1987/38 of 10 March 1987 and Economic and Social Council decision 1987/147 of 29 May 1987,

"Taking note of the relevant provisions of resolutions adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, inter alia, resolution 1991/35 of 29 August 1991, and of recommendations made in reports submitted to the Sub-Commission, inter alia, the report on the independence of the judiciary and the protection of practising lawyers (E/CN.4/Sub.2/1991/30 and Add.1-4) concerning advisory services,

"Convinced of the need for the Secretary-General to enhance efforts to coordinate system-wide advisory services and technical assistance in the field of human rights through flexible inter-agency collaboration,

"Convinced also of the need for the Centre for Human Rights to assume the functions of a focal point and clearing-house for coordination with other organizations of the United Nations system,

"Reaffirming that within the common context of the comprehensive programme of advisory services and technical cooperation, a clear distinction should be made between technical cooperation projects financed under the Voluntary Fund and activities under the regular budget of the United Nations,

"Noting the importance of expert services, fellowships and scholarships, training courses and seminars under the programme of advisory services as forms of practical assistance to States with a view to enabling them to develop the necessary mechanisms to meet international human rights standards,

"Noting also that the Centre for Human Rights in executing projects under the Voluntary Fund gives priority to activities aimed at building up or strengthening national and regional institutions and infrastructures in the field of human rights, "Noting with interest the work of the Advisory Group in the Centre for Human Rights in assisting the Secretary-General to deal with requests submitted by Governments on the basis of project guidelines which have been drawn up in conformity with established practices of the United Nations Development Programme,

"Taking note with appreciation of the report of the Secretary-General on advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights (E/CN.4/1992/49),

A. ACTIVITIES UNDER THE REGULAR BUDGET OF THE UNITED NATIONS

"1. Welcomes the efforts of the Secretary-General to ensure close coordination between the activities under the regular programme of human rights and those of the Voluntary Fund and, at the same time, to make a clear distinction between activities under the regular programme of advisory services and the technical cooperation projects financed under the Voluntary Fund;

"2. Reaffirms that the programme of advisory services in the field of human rights should continue to provide practical assistance in the implementation of international conventions on human rights to those States which indicate a need for such assistance;

"3. Requests the Secretary-General to give special attention to proposals of competent United Nations treaty bodies, as well as of special rapporteurs and representatives;

"4. Invites competent United Nations bodies, such as the committees set up under the International Covenants on Human Rights, the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of the Child to make suggestions and proposals for the implementation of advisory services;

"5. Requests its special rapporteurs and representatives, as well as the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention, to inform Governments, whenever appropriate, of the possibility of availing themselves of the services provided for under the programme of advisory services and to include in their recommendations, whenever appropriate, proposals for specific projects to be realized under the programme of advisory services;

"6. Encourages Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services of experts in the field of human rights, for example, for drafting basic legal texts in conformity with international conventions on human rights;

"7. Welcomes the increasing number of requests from Governments for support and technical assistance in the field of human rights, including the drafting of constitutions and other national legal instruments, as well as assistance in the preparation of democratic elections;

"8. Appeals to all Governments to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

"9. Calls on the Secretary-General to implement such activities on the basis of clearly defined objectives and themes, as well as to follow up and evaluate them, taking into account the precise needs of the beneficiaries;

"10. Suggests to the Secretary-General that all seminars, workshops and training courses be the subject of concise reporting in order to facilitate follow-up and evaluation;

"11. Recommends to the Secretary-General that the provision of expert assistance and activities to assist Governments in the development of the necessary mechanisms to meet international human rights standards should continue to increase;

"12. Requests the Secretary-General again to provide urgently more human and financial resources for the enlargement of advisory services, within existing overall United Nations resources and particularly from section 24 of the regular budget concerning technical cooperation, in order to meet the increased demand on this important instrument intended to invigorate the human rights spirit in the world;

"13. Also requests the Secretary-General to pursue his efforts towards a medium-term plan for advisory services and technical assistance in the field of human rights, taking into account the comments and views expressed by Governments at the forty-seventh session of the Commission on Human Rights;

B. ACTIVITIES UNDER THE VOLUNTARY FUND

"14. Expresses its appreciation to the Secretary-General for the projects realized since the establishment of the Voluntary Fund;

"15. Also expresses its appreciation to those Governments and non-governmental organizations that have made financial contributions to the Voluntary Fund;

"16. Emphasizes that the objective of the Voluntary Fund is to provide financial support for international cooperation aimed at building up and strengthening national and regional institutions and infrastructures which will have a long-term impact on improved implementation of international conventions and other international instruments on human rights promulgated by the United Nations, the specialized agencies or regional organizations;

"17. *Requests* the Secretary-General to continue to elaborate comprehensive programmes of advisory services and technical cooperation on the basis of careful preparations, maintaining a clear distinction between technical cooperation projects financed under the Voluntary Fund and other activities, such as seminars, fellowships and dissemination of documentation, to be financed under the regular budget of the United Nations and within the World Public Information Campaign for Human Rights;

"18. *Considers* that advisory services through the Voluntary Fund for Technical Cooperation in the Field of Human Rights constitute a potent factor for strengthening the relevant national and regional institutions in requesting countries;

"19. *Underlines* that any assistance for strengthening human rights and democracy through advisory services through the Voluntary Fund has to be well prepared, and that there should be a regular follow-up between the involved national bodies and the Centre for Human Rights;

"20. *Encourages* the Secretary-General and the Centre for Human Rights to participate actively in the formulation of projects regarding technical cooperation in the field of human rights, in close consultation with the Governments concerned, taking into account relevant suggestions made by human rights treaty bodies, special rapporteurs and non-governmental organizations;

"21. Welcomes the establishment of the Technical Cooperation Unit within the Centre for Human Rights charged with the administration and operation of the Voluntary Fund;

"22. *Underlines* the importance of streamlining and rationalizing working methods and procedures as is currently being undertaken by the Technical Cooperation Unit, including efforts to improve evaluation and follow-up;

"23. *Invites* the Centre for Human Rights in this regard to consider developing model projects for legal protection and the strengthening of the independence of the judiciary as part of the core activities of the Voluntary Fund, bearing in mind the need to adapt these projects to specific situations;

"24. *Encourages* the Secretary-General to pay due attention to the particular needs of developing countries from all regions and to explore fully the possibilities offered by the cooperation of the relevant specialized agencies with the Centre for Human Rights;

"25. Requests the Secretary-General to bring regularly to the attention of the competent human rights organs and of all Governments, especially those that as yet have not been notified, of the possibilities that exist under the Voluntary Fund of providing technical cooperation in the field of human rights to Governments at their request;

"26. Encourages Governments interested in technical cooperation in the field of human rights, particularly those of developing countries, to make use of the Voluntary Fund;

"27. Also encourages Governments to seek contact and to cooperate with non-governmental human rights organizations in formulating and implementing programmes under the Voluntary Fund;

"28. Requests the Secretary-General to guarantee transparency of the criteria applied and of the rules of procedure to be followed in carrying out technical cooperation in the field of human rights;

C. SYSTEM-WIDE COOPERATION

"29. Requests the Secretary-General to explore yet further the possibilities offered by cooperation between the Centre for Human Rights and specialized bodies of the United Nations system, such as the Centre for Social Development and Humanitarian Affairs, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Institute for Training and Research, the Office of the United Nations High Commissioner for Refugees, the United Nations Interregional Crime and Justice Research Institute, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the World Bank;

"30. Also requests the Secretary-General to bring the need for further technical assistance in the legal field that has been indicated by a number of States to the attention of the United Nations bodies and the specialized agencies that are active in providing assistance in the field of development with a view to promoting human rights in the development strategies and policies of the United Nations system;

"31. Encourages in this regard the Secretary-General to explore fully the possibilities for a system-wide use of model projects for legal protection and the independence of the judiciary to be developed by the Centre for Human Rights;

"32. Encourages the cooperation between the Centre for Human Rights and the United Nations Development Programme (UNDP), and the leadership of both organizations to enhance further coordination and cooperation between them, in particular with a view jointly to preparing and executing individual projects benefiting from the opportunities offered by UNDP resident representatives;

"33. Encourages the Secretary-General in his efforts to attribute to the Centre for Human Rights the functions of a focal point and clearing-house for inter-agency coordination with other organizations of the United Nations system;

> "34. Requests the Secretary-General to report annually to the Commission on Human Rights on the progress made in the implementation of the programme of advisory services and technical cooperation in the field of human rights and, in a distinct part of his annual report, on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights."

730. At the 56th meeting, on 5 March 1992, the representative of Germany introduced a revised draft resolution (E/CN.4/1992/L.83/Rev.1) sponsored by the same member and observer States as draft resolution E/CN.4/1992/L.83.

731. Statements in relation to the revised draft resolution were made by the representatives of Burundi, France and Lesotho.

732. The draft resolution was adopted without a vote.

733. Statements in explanation of their delegations' positions were made by the representative of the United States of America and Venezuela.

734. For the text as adopted, see chapter II, section A, resolution 1992/80.

XX. IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

735. The Commission considered agenda item 20 at its 17th to 20th meetings, on 7 and 10 February and at its 38th meeting, on 21 February 1992. 2/

736. The Commission had before it the following documents:

Report submitted by Mr. Angelo Vidal d'Almeida Ribeiro, Special Rapporteur appointed in accordance with Commission resolution 1986/20 (E/CN.4/1992/52);

Letter dated 3 January 1992 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1992/65);

Letter dated 6 February 1992 from the Permanent Mission of Cuba to the United Nations Office at Geneva addressed to the Secretary of the Commission (E/CN.4/1992/70);

Letter dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/71);

Letter dated 10 February 1992 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/74).

737. At the 17th meeting, on 7 February 1992, the Special Rapporteur, Mr. A. Vidal d'Almeida Ribeiro, introduced his report (E/CN.4/1992/52) to the Commission.

738. In the general debate on item 20, statements 3/ were made by the following members of the Commission: Austria (18th), China (18th), Costa Rica (19th), India (19th), Indonesia (20th), Italy (19th), Netherlands (18th), Nigeria (19th), Peru (18th), Russian Federation (18th), Syrian Arab Republic (18th), United Kingdom of Great Britain and Northern Ireland (19th), United States of America (18th).

739. The Commission heard a statement by the observer for Ireland (19th).

740. The observers for the Holy See (19th) and Switzerland (19th) made statements.

741. The Commission also heard statements by the following non governmental organizations: Baha'i International Community (20th), Christian Democratic International (20th), International Association for the Defense of Religious Liberty (20th), International Council of Jewish Women (20th), International

Fellowship of Reconciliation (20th), International Indian Treaty Council (20th), International Organization for the Development of Freedom of Education (20th), International Progress Organization (20th), World Association for World Federation (20th), World Jewish Congress (18th).

742. At its 20th meeting, on 10 February 1992, the Commission also heard a joint statement by the International Commission of Jurists on behalf of the International Commission of Jurists and the International Federation of Human Rights.

743. At the same meeting, statements in exercise of the right of reply or its equivalent were made by the representatives of China, Nigeria, Mauritania and the observers for Greece, Egypt, Sudan, and Viet Nam.

744. At the 38th meeting, the observer for Ireland introduced draft resolution E/CN.4/1992/L.15, sponsored by Australia, Austria, Belgium*, Canada, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Germany, Greece*, Hungary, Ireland*, Italy, Lithuania*, Luxembourg*, the Netherlands, New Zealand*, Norway*, Peru, Poland*, Portugal, the Russian Federation, Senegal, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Argentina, Bulgaria, Chile, Costa Rica, Iceland*, Japan, Sao Tome and Principe* and Uruguay subsequently joined the sponsors.

745. In introducing the draft resolution, the observer for Ireland orally revised it by replacing, in operative paragraph 13, "Also calls upon" by "Encourages".

746. The representative of the Philippines made a statement in connection with the draft resolution.

747. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.15, as orally revised.

748. The draft resolution, as orally revised, was adopted without a vote.

749. For the text as adopted, see chapter II, section A, resolution 1992/17.

XXI. DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

750. The Commission considered agenda item 21 at its 51st and 53rd meetings, on 3 and 4 March and at its 56th meeting, on 5 March 1992. 2/

751. The Commission had before it the report of the working group on drafting a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms (E/CN.4/1992/53 and Corr.1).

752. At the 51st meeting, the Chairman-Rapporteur of the working group, Mr. R.A. Walker, introduced the report of the working group (E/CN.4/1992/53 and Corr.1) to the Commission.

753. In the general debate on item 21, a statement 3/ was made by the representative of the United States of America (51st).

754. The observer for Turkey made a statement (53rd).

755. The Commission also heard a statement by the following non-governmental organization: African Association of Education for Development (53rd).

756. A joint statement was made by the International Fellowship of Reconciliation (53rd) on behalf of Human Rights Advocates and the International Fellowship of Reconciliation.

757. At the 56th meeting, the representative of Australia introduced draft resolution E/CN.4/1992/L.64, sponsored by Australia, Austria, Bulgaria, Colombia, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Germany, Hungary, Norway*, Portugal, the Russian Federation, Turkey*, and the United Kingdom of Great Britain and Northern Ireland. Canada, Peru, Sweden* and the United States of America subsequently joined the sponsors.

758. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.64.

759. A statement in connection with the draft resolution was made by the representative of Cuba.

760. The draft resolution was adopted without a vote.

761. For the text as adopted, see chapter II, section A, resolution 1992/82.

XXII. RIGHTS OF THE CHILD, INCLUDING (a) STATUS OF CONVENTION ON THE RIGHTS OF THE CHILD; (b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN; (c) PROGRAMME OF ACTION FOR THE ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR; (d) DRAFT PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

762. The Commission considered agenda item 22 at its 44th, 46th to 48th meetings, from 26 to 28 February and at its 49th, 50th and 55th meetings, on 2, 3 and 5 March 1992. 2/

763. The Commission had before it the following documents:

Report of the Secretary-General on the draft programme of action for the elimination of the exploitation of child labour prepared pursuant to Commission resolutions 1991/54 and 1991/55 (E/CN.4/1992/45);

Report of the Secretary-General on the status of the Convention on the Rights of the Child (E/CN.4/1992/54);

Report on the sale of children submitted by Mr. Vitit Muntarbhorn, Special Rapporteur appointed in accordance with Commission resolution 1990/68 (E/CN.4/1992/55 and Add.1);

Letter dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1992/71);

Letter dated 10 February 1992 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/74);

Letter dated 28 January 1992 from the Permanent Representative of Guatemala to the United Nations Office at Geneva addressed to the Chairman of the Commission (E/CN.4/1992/80);

Written statement submitted by the International Federation of Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster (E/CN.4/1992/NGO/[illegible];

Written statement submitted by the International Union of Young Christian Democrats, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/14);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1992/NGO/32);

Written statement submitted by International Educational Development, Inc., a non-governmental organization on the Roster (E/CN.4/1992/NGO/45);

Report of the Working Group on Contemporary Forms of Slavery on its sixteenth session (E/CN.4/Sub.2/1991/41 and Corr.1);

Report of the Committee on the Rights of the Child on its first session (CRC/C/7).

764. At the 44th meeting, on 26 February 1992, Mr. V. Muntarbhorn, Special Rapporteur on the sale of children introduced his report (E/CN.4/1992/55 and Add.1) to the Commission.

765. In the general debate on item 22, statements 3/ were made by the following members of the Commission: Australia (49th), Austria (46th), Brazil (46th), China (48th), Cuba (49th), France (46th), Indonesia (49th), Iran (Islamic Republic of) (49th), Iraq (49th), Netherlands (48th), Philippines (46th), Portugal (49th), Senegal (49th), Syrian Arab Republic (46th), Venezuela (49th).

766. The Commission heard statements by the observers for: Morocco (46th), Rwanda (46th), Spain (49th), Sweden (on behalf of Denmark, Finland, Iceland, Norway and Sweden) (49th), Thailand (49th).

767. Statements were made by the representatives of the International Labour Organisation (49th) and the World Health Organization (46th).

768. The Commission also heard statements by the following non-governmental organizations: Centre Europe - Tiers Monde (46th), Christian Democratic International (46th), Friends World Committee for Consultation (46th), General Arab Women Federation (50th), International Abolitionist Federation (46th), International Association of Democratic Jurists (46th), International Association of Educators for World Peace (49th), International Association for the Defence of Religious Liberty (46th), International Confederation of Free Trade Unions (50th), International Federation of Human Rights (46th), International Federation of Social Workers (49th), International Federation Terre des Hommes (46th), Latin American Federation of Associations of Relatives of Disappeared Detainees (50th), Service, Peace and Justice in Latin America (46th), World Movement of Mothers (46th), World Organization against Torture (46th).

769. In addition, the Commission heard joint statements by: Defense for Children International Movement (49th) on behalf of Defense for Children International Movement and the International Commission of Jurists; Foundation for the Rights of the Family (50th) on behalf of the Foundation for the Rights of the Family, the International Organization for the Development of Freedom of Education and the World Movement of Mothers; International Catholic Child Bureau (46th) on behalf of Caritas Internationalis, the International Association of Penal Law, the International Council of Jewish Women, the International Federation of Business and Professional Women, the International Social Service, Pax Romana, Soroptimist International, the World Federation of Methodist Women, the World Federation of United Nations Nations Associations and the World Union of Catholic Women's Organizations.

770. Statements in exercise of the equivalent of the right of reply were made by the observers for Guatemala (50th), Morocco (50th) and Turkey (50th).

771. At the 47th meeting, on 28 February 1992, Mr. Muntarbhorn, Special Rapporteur on the sale of children, made a statement with regard to a statement made in the general debate under item 22.

772. At the 55th meeting, on 5 March 1992, the Commission took up consideration of the draft resolutions submitted under agenda item 22.

773. The representative of Colombia introduced draft resolution E/CN.4/1992/L.84, sponsored by Argentina, Chile, Colombia, Costa Rica, Cuba, Cyprus, France, Germany, Mauritania, Mexico, Peru, Portugal, the Syrian Arab Republic, Uruguay and Venezuela. Honduras*, the Islamic Republic of Iran and Panama* subsequently joined the sponsors.

774. The draft resolution was adopted without a vote.

775. A statement in explanation of his delegation's position was made by the representative of the United States of America.

776. For the text as adopted, see chapter II, section A, resolution 1992/74.

777. At the same meeting, the observer for Sweden introduced draft resolution E/CN.4/1992/L.85, sponsored by Angola, Australia, Austria, Belgium*, Canada, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, the Gambia, Germany, Hungary, Iceland*, Ireland*, Luxembourg*, Mexico, the Netherlands, Norway*, the Philippines, Poland*, Portugal, Romania*, the Russian Federation, Senegal, Swaziland*, Sweden*, the United Kingdom of Great Britain and Northern Ireland, Venezuela and Yugoslavia. Brazil, Bulgaria, Costa Rica, Cyprus, the Islamic Republic of Iran, Italy, Peru, Rwanda*, Spain* and Zambia subsequently joined the sponsors.

778. In introducing the draft resolution, the observer for Sweden orally revised operative paragraph 9 by deleting the word "interim" between the words "in the" and "report".

779. The draft resolution, as orally revised, was adopted without a vote.

780. For the text as adopted, see chapter II, section A, resolution 1992/75.

781. At the same meeting, the representative of Portugal introduced draft resolution E/CN.4/1992/L.86 sponsored by Angola, Argentina, Australia, Austria, Belgium*, Brazil, Bulgaria, Canada, Colombia, Costa Rica, Cuba, Cyprus, the Czech and Slovak Federal Republic, Denmark*, Finland*, France, Gabon, the Gambia, Germany, Greece*, Iceland*, Ireland*, the Netherlands, Norway*, Peru, Poland*, Portugal, Romania*, the Russian Federation, Senegal, Spain* and Sweden. The Islamic Republic of Iran, Italy, Rwanda*, Switzerland*, Uruguay and Venezuela subsequently joined the sponsors.

782. In introducing the draft resolution, the representative of Portugal orally revised operative paragraph 13 by adding the words "and to this effect invites him to participate at the next session of that Working Group" at the end of the paragraph.

783. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1992/L.86 as orally revised.

784. The draft resolution, as orally revised, was adopted without a vote.

785. Statements in explanation of their delegations' positions were made by the representatives of the Philippines and the United States of America.

786. For the text as adopted, see chapter II, section A, resolution 1992/76.

XXIII. ELECTION OF MEMBERS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

787. The Commission considered agenda item 23 at its 50th, 51st, 53rd and 57th meetings, held on 2, 3, 4 and 6 March 1992. 2/

788. The Commission had before it a note by the Secretary-General containing nominations of candidates for election to membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and biographical data on the candidates (E/CN.4/1992/56 and Corr.1 and Add.1-5).

789. In accordance with Economic and Social Council resolutions 1334 (XLIV) of 31 May 1968 and 1986/35 of 23 May 1986 and decisions 1978/21 of 5 May 1978 and 1987/102 of 6 February 1987, the Commission, at its forty-fourth session (39th meeting, held on 29 February 1988), elected by secret ballot 26 members of the Sub-Commission from nominations of experts made by States Members of the United Nations on the following basis: (a) seven members from African States; (b) five members from Asian States; (c) three members from Eastern European States; (d) five members from Latin American States; (e) six members from Western European and other States.

790. Pursuant to Economic and Social Council resolution 1986/35, members of the Sub-Commission were to be elected for a term of four years, and half of the membership and the corresponding alternates, if any, were to be elected every two years.

791. As the term of office of half of the membership of the Sub-Commission had expired, the Commission was called to hold a new election of Sub-Commission members and alternates in accordance with the following pattern: four members from African States; two members from Asian States; two members from Eastern European States; two members from Latin American States; and three members from Western European and other States.

792. The Commission elected by secret ballot 13 members of the Sub-Commission, and their corresponding alternates, if any, for a period of four years. The following candidates were elected:

African States

Mr. Ahmed M. Khalifa Mr. Ahmed Khalil a/	Egypt
Mr. Fisseha Yimer	Ethiopia
Ms. Halima Embarek Warzazi Mr. Mohamed Benkaddour a/	Morocco
Mr. Saïd Naceur Ramadhane Mr. Abdelfettah Amor a/	Tunisia

Asian States

Mr. Muksum-Ul-Hakim	Bangladesh
Mr. Tofazzal Hossain Khan a/	
Mr. Ribot Hatano	Japan
Mr. Yozo Yokota a/	

Eastern European States

Mr. Ioan Maxim	Romania
Mr. Petru Pavel Gavrilescu a/	
Mr. Volodymyr Boutkevitch	Ukraine
Mr. Olexandre Kouptchichine a/	

Latin American States

Ms. Clemencia Forero Ucros	Colombia
Mr. Jorge Orlando Melo a/	
Mr. Miguel J. Alfonso Martínez	Cuba
Ms. Marianela Ferriol Echevarría a/	

Western European and other States

Mr. Marc Bossuyt	Belgium
Mr. Guy Genot a/	
Mr. Asbjørn Eide	Norway
Mr. Jan Helgesen a/	
Ms. Linda Chavez	United States of America
Mr. Robert J. Portman a/	

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a/ Alternate

XXIV. WORLD CONFERENCE ON HUMAN RIGHTS

793. The Commission considered agenda item 24 at its 26th meeting, on 13 February, at its 28th to 30th meetings, on 14 and 17 February, and at its 48th meeting, on 28 February 1992. 2/

794. The Commission had before it the report of the Secretary-General (E/CN.4/1992/57 and Add.1).

795. In the general debate on item 24, statements 3/ were made by the following members of the Commission: Australia (29th), Chile (29th), China (28th), Colombia (29th), Costa Rica (29th), Cuba (29th), Germany (26th), India (28th), Indonesia (29th), Iran (Islamic Republic of) (29th), Italy (28th), Japan (28th), Portugal (on behalf of the European Community and its member States) (28th), Russian Federation (28th), Senegal (29th), Uruguay (28th), Venezuela (30th).

796. The Commission heard statements by the observer for Norway (on behalf of Denmark, Finland, Iceland, Norway and Sweden) (30th).

797. The Commission also heard statements by the following non-governmental organizations: International Association of Educators for World Peace (30th), Latin American Federation of Associations of Relatives of Disappeared Detainees (30th), Service, Peace and Justice in Latin America (30th).

798. At the 48th meeting, the representative of Germany introduced draft resolution E/CN.4/1992/L.30, sponsored by Argentina, Australia, Belgium*, Bulgaria, Colombia, Czech and Slovak Federal Republic, Denmark*, Finland*, France, Germany, Greece*, Hungary, the Islamic Republic of Iran, Ireland*, Italy, Luxembourg*, Mongolia*, Morocco*, the Netherlands, New Zealand*, Norway*, Pakistan, Peru, the Philippines, Poland*, Portugal, Russian Federation, Senegal, Spain*, Sweden*, Tunisia, Ukraine* and the United Kingdom of Great Britain and Northern Ireland. Afghanistan*, Bangladesh, Brazil, Chile, Cyprus, Ecuador*, Egypt*, Ethiopia*, Ghana, India, Indonesia, Kenya, Lesotho, Lithuania*, Panama*, Rwanda*, Sao Tome and Principe*, Somalia, Uruguay and Venezuela subsequently joined the sponsors.

799. The representative of Austria made a statement in explanation of his delegation's position.

800. The draft resolution was adopted without a vote.

801. For the text as adopted, see chapter II, section A, resolution 1992/37.

XXV. DRAFT PROVISIONAL AGENDA FOR THE FORTY-NINTH SESSION OF THE COMMISSION

802. The Commission considered agenda item 25 at its 57th meeting, on 6 March 1992. 2/

803. In accordance with paragraph 3 of the Economic and Social Council resolution 1894 (LVII), the Commission had before it a note by the Secretary-General (E/CN.4/1992/L.1) containing a draft provisional agenda for the forty-ninth session of the Commission and indicating the documents to be submitted under each item and the legislative authority for their consideration.

804. The Commission took note of the draft provisional agenda, as modified by decisions taken at the forty-eighth session.

805. The draft provisional agenda for the forty-ninth session of the Commission reads as follows:

1. Election of officers.

2. Adoption of the agenda.

3. Organization of the work of the session.

   Legislative authority: relevant resolutions and decisions of the General Assembly, the Economic and Social Council and the Commission.

   Documentation:

   (a) Report of the Independent Expert on Guatemala (paragraphs 13 and 14 of resolution 1992/78), to be considered under the item "Advisory services in the field of human rights" or the item "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

   (b) Report of the Independent Expert on El Salvador (paragraphs 12 and 13 of resolution 1992/62), to be considered under the item "Advisory services in the field of human rights" if there is a substantial improvement in the human rights situation in El Salvador during the current year, taking into account the effect of the Peace Plan, or otherwise under the item "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

4. Question of the violation of human rights in the occupied Arab territories, including Palestine.

Legislative authority: Commission resolutions 1992/1 and 1992/2 A and B.

Documentation:

(a) Reports of the Secretary-General (paragraph 6 of resolution 1992/1, paragraph 5 of resolution 1992/2A and paragraph 6 of resolution 1992 B);

(b) List of United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation (paragraph 6 of resolution 1992/2 A).

5. Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts.

Legislative authority: Commission resolution 1992/19.

Documentation:

Report of the Ad Hoc Working Group of Experts (paragraph 26 of resolution 1992/19).

6. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa.

Legislative authority: Commission resolutions 1992/7 and 1992/20.

Documentation:

Updated report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (paragraph 3 (a) of draft resolution I recommended to the Economic and Social Council for adoption (resolution 1992/7)).

7. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development.

Legislative authority: Commission resolutions 1992/9, 1992/10, 1992/11 and 1992/21 and decision 1992/103.

Documentation:

(a) Final report of the Special Rapporteur of the Sub-Commission (paragraph 2 of resolution 1992/9 and decision 1992/103);

(b) Report of the Sub-Commission on the question of human rights and extreme poverty (paragraph 7 of resolution 1992/11);

(c) Report of the Independent Expert on the right to own property (paragraph 3 of resolution 1992/21).

8. Question of the realization of the right to development.

Legislative authority: Commission resolution 1992/13.

Documentation:

Report of the Secretary-General (para. 4).

9. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.

Legislative authority: Commission resolutions 1992/4, 1992/5, 1992/6 and 1992/18 and decision 1992/102.

Documentation:

(a) Report of the Special Rapporteur on mercenaries (paragraph 4 of resolution 1992/6);

(b) Report of the Secretary-General on the human rights activities in Cambodia carried out by the United Nations Transitional Authority in Cambodia and by the Centre for Human Rights (subparagraph (e) of decision 1992/102);

10. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

(a) Torture and other cruel, inhuman or degrading treatment or punishment;

(b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(c) Question of enforced or involuntary disappearances;

(d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Legislative authority: Commission resolutions 1992/22, 1992/23, 1992/24, 1992/25, 1992/26, 1992/27, 1992/28, 1992/30, 1992/31, 1992/32, 1992/34 and 1992/43.

Documentation:

(a) Report of the Secretary-General (paragraph 4 of resolution 1992/24);

(b) Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (paragraph 8 of resolution 1992/25);

(c) Updated report of the Secretary-General on the situation of United Nations staff members, experts and their families detained, imprisoned, missing or held in a country against their will, and on the implementation of resolution 1992/26 (para. 7);

(d) Report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (paragraph 6 of resolution 1992/27);

(e) Comprehensive report of the Working Group on Arbitrary Detention (paragraph 5 of resolution 1992/28);

(f) Report of the Working Group on Enforced or Involuntary Disappearances (paragraph 3 of resolution 1992/30);

(g) Report of the Special Rapporteur on the question of torture (paragraph 20 of resolution 1992/32);

(h) Report of the two Special Rapporteurs on the right to a fair trial (paragraph 7 of resolution 1992/34);

(i) Annual report of the Special Rapporteur on human rights and states of emergency (draft decision 25 recommended to the Economic and Social Council for adoption (decision 1992/107)).

11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;

(b) National institutions for the promotion and protection of human rights;

(c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights.

Legislative authority: Commission resolutions 1992/38, 1992/39, 1992/40, 1992/42, 1992/52, 1992/53, 1992/54, 1992/55, 1992/57 and 1992/73.

Documentation:

(a) Report of the Secretary-General on public information activities (paragraph 15 of resolution 1992/38);

(b) Report of the Secretary-General (paragraph 11 of resolution 1992/39);

(c) Report of the Secretary-General on the progress achieved in the implementation of resolution 1992/40 (para. 10);

(d) Report of the Secretary-General on the state of regional arrangements for the promotion and protection of human rights (paragraph 12 of resolution 1992/52);

(e) Report of the Secretary-General on the preparation of a follow-up international workshop in 1993 (paragraph 14 of resolution 1992/54);

(f) Report of the Secretary-General (paragraph 2 of resolution 1992/57);

(g) Report of the Secretary-General on internally displaced persons (paragraph 5 of resolution 1992/73).

12. Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:

(a) Question of human rights in Cyprus;

(b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990.

Legislative authority: Commission resolutions 1992/58, 1992/59, 1992/61, 1992/62, 1992/63, 1992/64, 1992/67, 1992/68, 1992/69, 1992/70, 1992/71, 1992/72, 1992/77 and 1992/79, decision 1992/106 and the statement agreed by consensus by the Commission, made by the Chairman on 4 March 1992.

Documentation:

(a) Report of the Special Rapporteur on the situation of human rights in Myanmar (paragraph 3 of resolution 1992/58);

(b) Report of the Secretary-General (paragraph 6 of resolution 1992/59);

(c) Report of the Special Rapporteur on the situation of human rights in Cuba (paragraph 9 of resolution 1992/61);

(d) Report of the Secretary-General on Romania (paragraph 9(b) of resolution 1992/64);

(e) Report of the Special Representative on the situation of human rights in the Islamic Republic of Iran (paragraph 13 of resolution 1992/67);

(f) Report of the Special Rapporteur on the situation of human rights in Afghanistan (paragraph 24 of resolution 1992/68);

(g) Report of the Secretary-General on the situation of human rights in Albania (paragraph 5 (b) of resolution 1992/69);

(h) Report of the Secretary-General on the situation of human rights in southern Lebanon (paragraph 5 (b) of resolution 1992/70);

(i) Final report of the Special Rapporteur on the situation of human rights in Iraq (paragraph 15 of resolution 1992/71);

(j) Report of the Special Rapporteur on summary or arbitrary executions (paragraph 6 of resolution 1992/72);

(k) Report of the Special Rapporteur on the situation of human rights in Haiti (paragraph 6 of 1992/77);

(l) Report of the Expert on the situation in Equatorial Guinea (paragraph 17 of resolution 1992/79);

(m) Report of the Secretary-General on the question of human rights in Cyprus (decision 1992/106);

(n) Report of the Secretary-General on East Timor (statement agreed by consensus by the Commission, made by the Chairman on 4 March 1992).

13. Measures to improve the situation and ensure the human rights and dignity of all migrant workers.

Legislative authority: Commission resolution 1992/81.

Documentation:

Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (para. 5).

14. Human rights and scientific and technological developments.

Legislative authority: Commission resolutions 1991/45 and 1991/47.

15. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid.

Legislative authority: Commission resolution 1991/10.

Documentation:

Report of the Group of Three (para. 15).

16. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

Legislative authority: Commission resolution 1992/8.

Documentation:

Report of the Secretary-General (paras. 6 and 10).

17. Status of the International Covenants on Human Rights.

Legislative authority: Commission resolution 1992/14.

Documentation:

Report of the Secretary-General (para. 18).

18. Effective functioning of bodies established pursuant to United Nations human rights instruments.

Legislative authority: Commission resolution 1992/15.

19. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-fourth session.

Legislative authority: Commission resolutions 1992/36 and 1992/66.

Documentation:

(a) Report of the Secretary-General (paragraph 3 of resolution 1992/36);

(b) Report of the Chairman of the Sub-Commission (paragraph 14 of resolution 1992/66).

20. Rights of persons belonging to national or ethnic, religious and linguistic minorities.

Legislative authority: Commission resolution 1992/16.

21. Advisory services in the field of human rights.

Legislative authority: Commission resolution 1992/80.

Documentation:

Report of the Secretary-General on the progress in the implementation of the programme of advisory services (para. 34).

22. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Legislative authority: Commission resolution 1992/17.

Documentation:

(a) Report of the Special Rapporteur (para. 14);

(b) Report of the Secretary-General on measures to implement resolution 1992/17 (para. 15).

23. Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

Legislative authority: Commission resolution 1992/82

24. Rights of the child, including:

(a) Status of the Convention on the Rights of the Child;

(b) Report of the Special Rapporteur on the sale of children;

(c) Programme of action for the elimination of the exploitation of child labour;

(d) Programme of action for the prevention of the sale of children, child prostitution and child pornography.

Legislative authority: Commission resolutions 1992/74, 1992/75 and 1992/76.

Documentation:

(a) Report of the Secretary-General on the status of the Convention on the Rights of the Child (paragraph 13 of resolution 1992/75);

(b) Report of the Special Rapporteur on the sale of children (paragraph 10 of resolution 1992/76).

25. World Conference on Human Rights

Legislative authority: Commission resolution 1992/37.

26. The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service.

Legislative authority: Commission resolution 1991/65.

Documentation:

Report of the Secretary-General on the question of conscientious objection to military service (para. 1).

27. Draft provisional agenda for the fiftieth session of the Commission.

Legislative authority: Economic and Social Council resolution 1894 (LVII).

Documentation:

Note by the Secretary-General containing the draft provisional agenda for the fiftieth session of the Commission, together with information concerning documentation relating thereto.

28. Report to the Economic and Social Council on the forty-ninth session of the Commission.

Legislative authority: rule 38 of the rules of procedure of the functional commissions of the Economic and Social Council.

XXVI. ADOPTION OF THE REPORT

806. At its 57th meeting, on 6 March 1992, the Commission considered the draft report on the work of its forty-eighth session. The draft report, as amended in the course of the discussion, was adopted.

Notes

1/ An explanation of the administrative and programme budget implications of Commission resolutions and decisions appears in annex III.

2/ Summary records of each of the meetings are subject to correction. They are considered as final with the issuance of a consolidated corrigendum (E/CN.4/1992/SR.1-57/Corrigendum).

3/ The number in parentheses following the names of States or organizations indicates the meeting at which the statement was made.

ANNEXES

Annex I

ATTENDANCE

Members

Angola

Mr. Apolinario Jorge Correia, Mr. Arcanjo Do Nascimento*, Mr. Joao Caetano*, Mr. Antonio Felismino*

Argentina

Mr. Juan A. Lanús, Mr. Fernando Novillo Saravia*, Mr. Hernán R. Plorutti*, Mr. Ernesto M. Paz*, Mr. César F. Mayoral*, Mr. Guillermo Carvajal*, Mr. Antonio G. Trombetta*

Australia

Mr. R.A. Walker, Mr. Bill Barker*, Mr. Ian Russell*, Mr. David Stuart*, Mr. R.L.C. Cotton**, Ms. Quentin Bryce**, Mr. K.P. O'Connor**, Mr. Peter Thomson**, Mr. Steven McIntosh**, Ms. Gayle Fleming-Demiray**

Austria

Mr. Felix Ermacora, Mr. Winfried Lang*, Mr. Nikolaus Scherk*, Mr. Christian Strohal*, Mr. Walther Lichem**, Mr. Klaus Fabjan**, Mr. Thomas Michael Baier**, Mr. Florian Krenkel**, Mr. F.J. Homann-Herimberg**, Mr. Manfred Nowak**, Mr. Engelbert Theuermann**, Mr. Walter Gehr**

Bangladesh

Mr. Muksum ul Hakim, Mr. Tofazzal Hossain Khan*, Mr. Mufleh R. Osmany*, Mr. M. Motahar Hossain*, Mr. Iftikharul Karim**, Ms. Nasim Firdaus**

Barbados

Ms. Faith Marshall-Harris

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* Alternate
** Adviser

Brazil

Mr. Celso L.N. Amorim, Mr. José Augusto Lindren Alves*, Mr. Marcos Vinicius Pinta Gama*, Ms. Ana Candida Perez*, Mr. José Humberto de Brito Cruz*, Ms. Renata P. Saint-Clair Pimentel*

Bulgaria

Mr. Slavi Pashovsky, Mr. Vladimir Sotirov*, Mr. Dobri Dobrev*

Burundi

Mr. Laurent Nzeyimana, Mr. Gaston Nteziriba*

Canada

Ms. Anne Park, Mr. Paul Dubois*, Mr. Ian Ferguson*, Mr. Alan Kessel**, Mr. James Trottier**, Ms. Maria Raletich**, Mr. Denis Marantz**, Ms. Donna Balkan**

Chile

Mr. Ernesto Tironi, Mr. Roberto Garretón*, Mr. Pedro Dyarce*, Mr. Felipe Portales*, Mr. Pablo Romero*, Mr. Camilo Sanhueza*, Mr. Milan Ivelic*, Mrs. Cecilia Medina*

China

Mr. Fan Guoxiang, Mr. Zhan Daode*, Mr. Zhang Yishan*, Ms. Feng Cui*, Mr. Tan Songqiu*, Mr. Chen Weidian*, Mr. Zhu Xiaoming*, Mr. Pang Sen**, Mr. Duan Jielong**, Mr. Chen Wangxia**, Mr. Wei Wenhua**, Mr. Chen Weixiong**, Mr. Zhang Jun**, Mr. Shen Yongxiang**, Mr. Zheng Yong**, Mr. Yi Ping**, Mr. Qian Xiaoqian**, Mr. Zhou Xikang**

Colombia

Mr. Eduardo Mestre Sarmiento, Mr. Luis Guillermo Grillo*, Mr. Jorge Orlando Melo*, Mr. Alvaro Tirajo Mejía*, Mrs. Ligia Galvis*, Mr. José Renato Salazar*, Mrs. Clemencia Forero Ucros*, Ms. Margarita Echeverri*

Costa Rica

Mr. Jorge Rhenán-Segura, Mr. Javier Rodríguez Alpízar*, Ms. Gloriana Rodríguez H.**

Cuba

Mr. Raúl Roa Kouri, Mr. José Pérez Novoa*, Mr. Miguel Alfonso Martínez*, Ms. Marianela Ferriol Echevarría**, Mr. Juan A. Fernández Palacio**

Cyprus

Mr. Vanias Markides, Ms. Loria Markides*, Mr. George Zodiates*,
Ms. Patricia Hadjisotiriou*

Czech and Slovak Federal Republic

Mr. Gabriel Brenka, Mr. Juraj Králik*, Mr. Karel Kaloc*,
Mr. Ludek Krajhanzl**, Mr. Ivan Pintér**

France

Mr. Stéphane Hessel, Mr. Bernard Miyet*, Mr. Jean-Pierre Lafon**,
Mr. Paul Bouchet**, Mr. Jacques Manent**, Mr. Gabriel Keller**,
Mr. André Ptocki**, Mr. Nicolas Mettra**, Mr. Jacques Lapouge**,
Mrs. Michèle Picard**, Mrs. Brigitte Collet**, Mr. Patrick Titiun**,
Mr. le doyen Gettati**, Mr. Serge Telle**, Mr. Serge Mostura**,
Mrs. Béatrice Le Fraper du Hellen**, Mrs. Catherine Cosson**,
Mrs. Fabienne Rousso-Lenoir**, Mr. Michel Theuil**, Mrs. Fatouh Houel**,
Mr. Gérard Fellous**, Mr. Jean-Paul Costa**, Mr. Emmanuel Decaux**

Gabon

Mrs. Yolande Bike, Mr. Roger Tchibota-Souamy*, Mr. Joseph Louembe**,
Mr. René Koupangoye**, Mr. Christian Quentin**, Mr. Manva Nkele**,
Mr. Jean Ndong-Mboulu**, Mr. Moulomba Nziengui**, Mr. Moïse Mboulou-Mve**

Gambia

Mr. Hassan B. Jallow, Mr. Momodou Kebba Jallow, Mr. Blaise Jagne,
Ms. Jainaba Johm

Germany

Mr. Gerhart Baum, Mr. Ulrich Rosengarten*, Mr. Wolfgang Gerz*,
Mr. Werner Daum**, Mr. Ulf-Dieter Klemm**, Mr. Rolf Schütte**,
Ms. Jutta Wolke**, Ms. Beate Maeder-Metcalf**, Mr. Michael Flügger**,
Ms. Christiane Hohmann**, Mr. Wolfgang Wagner**, Ms. Senta Rudolph**,
Mr. Gereon Windelen**

Ghana

Mr. Kojo Amoo-Gottfried, Mr. H. O. Blavo*, Mr. F.W.Y. Ekar**,
Ms. Joanna Seddoh**

Hungary

Mr. Pál Solt, Mr. Miklós Endreffy*, Mr. Gyula Szelei K.*,
Mr. Tibor Tóth*, Mr. András Dékány**, Mr. András Gyuris**,
Ms. Agnes Hevesi**, Mr. Endre Lontai**, Mr. István Tuza**

India

Mr. V.N. Gadgil, Mr. Saifuddin Chaudhury*, Mr. Prakash Shah*, Mr. Debashish Chakravarti**, Ms. Neelam D. Sabharwal**, Mr. S.K. Tripathi**, Mr. V.M. Kwatra**, Mr. D.K. Patnaik**, Ms. Lakshmi Puri**, Ms. Sujatha Mehta**

Indonesia

Mr. S. Wiryono, Mr. Soemadi Brotodiningrat*, Mr. N. Hassan Wirajuda**, Ms. Perwitorini Wijono**, Ms. Musma Musa Abas**, Mr. Heri Indra Jaya**, Mr. Desra Percaya**, Mr. Ferry Adamhar**, Mr. F.X. Lopes da Cruz**, Ms. Saodah B.A. Syahruddin**, Mr. Dominggos Soares**, Mr. Eddy Pratomo**, Mr. Theo Sambuaga**, Mr. A. Wahab**, Mr. Jauhari Nataatmadja**, Mr. Nana S. Sutresna**, Mr. Clementino Dos Reis Amaral**

Iran (Islamic Republic of)

Mr. Sirous Nasseri, Mr. Kia Tabatabaee*, Mr. Hamid Reza Hosseini*, Mr. Mostafa Alaei*, Mr. Seyed Mohammad Ali Mottaghi-Nejad*, Mr. Mehdi Hamzei*, Mr. Bagher Assadi*, Mr. Amir Hossein Hosseini*, Mr. Abass Safarian*

Iraq

Mr. Mohammed A. Al-Douri, Mr. Abdul Munim Al-Kadhi*, Mr. Mohammed A. Hussein**, Mr. Mohammed S. Ali**, Mr. Shamil Mohammed**, Mr. Basiel Yousif**, Mr. Adil Khalil**, Mr. Riyadh Hadi**

Italy

Mr. Francesco Mezzalama, Mr. Lorenzo Ferrarin*, Mr. Daniele Verga*, Mr. Bernardino Mancini**, Mr. Massimo Rustico**, Mr. Giuseppe Scognamiglio**, Mr. Fausto Pocar**, Mr. Luigi Citarella**, Mrs. Barbara Schiavo**, Mr. Loris Baglioni**

Japan

Mr. Katsumi Sezaki, Mr. Tetsuo Ito*, Mr. Yutaka Yoshizawa*, Ms. Chiyoko Teranishi**, Mr. Masanori Dodo**, Mr. Takahito Narumiya**, Mr. Masaya Sagawa**, Ms. Miyako Murakami**, Mr. Masahiro Tauchi**, Ms. Mari Miyoshi**, Ms. Itsuko Nakai**

Kenya

Mr. Thomas A. Ogada, Mr. Njuguna Ngunjiri*, Ms. Amina Mohamed**, Mr. Christopher K. Mburu Karumba**

Lesotho

Mr. L. F. Maema, Mr. T.Z. Kolane**

Libyan Arab Jamahiriya

Mr. Said Hafiana, Mr. Khalifa Ahmed Bazelia*,
Mr. Ibrahim Abdul-Aziz Omar*, Mr. Sasi Al-Haj*, Mr. Yousef Qaddour*,
Mr. Ataher El-Qamoudi*, Ms. Hosnia M. Markhus*,
Mr. Mohamed Elfakih Saleh*, Ms. Siham A. Shaheen*,
Mr. Saleh Abdullah Almisrati*, Mr. Almabrouk Mohamed Aboujreba*,
Mr. Mohamed Ezoudin A. Alkazmi*, Mr. Said Ayad*

Madagascar

Mr. Laurent Radaody-Rakotondravao, Mr. Norbert Rastirahonana*,
Mrs. Faralalao Rakotoniaina**

Mauritania

Mr. Mohamed Saleck Ould Mohamed Lemine, Mr. Ba Abdoul*,
Mr. Sidney Sokhona**

Mexico

Mr. Claude Heller, Mr. Miquel Angel González Félix*,
Mr. Luis Alfonso De Alba**, Mr. Eleazar Ruiz y Avila**,
Mrs. Eréndira Paz**

Netherlands

Mr. P.H. Kooijmans, Mr. J.F. Boddens-Hosang*, Mr. Toine F. van Dongen*,
Mr. Barend C.A.F. van der Heijden**, Mr. Theo R.G. van Banning**,
Ms. Geeskelien Wolters**, Mr. Adriaan Kooijmans**,
Mr. Paul J.A.M. Peters**, Mr. Koen M. Davidse**, Ms. Joan J.J. Wiegman**,
Mr. Laurent L. Stokvis**

Nigeria

Mr. Olu Adeniji, Ms. J.S. Attah*, Ms. E.A. Azikiwe**, Mr. O.I. Udoh**,
Mr. M.U. Offor**, Ms. R.O. Ogunleye**, Ms. M.U. Agbamuche**,
Mr. B.E. Nwakamma**, Mr. A. Inusa**, Mr. O.I. Maiyegun**, Mr. G.N. Agim**

Pakistan

Mr. Mohammad Saeed Ansari, Mr. Ahmad Kamal*, Mr. Mohammad Younis Khan**,
Mr. Shahbaz**, Mr. Irfan Baloch**, Mr. M. Azam Alvi**, Ms. Fauzia Abbas**

Peru

Mr. Oswaldo de Rivero, Mrs. Rosa Esther Silva y Silva*,
Mr. Hubert Wieland Conroy*, Mr. Fernando Quirós*

Philippines

Mr. Reynaldo O. Arcilla, Ms. Narcisa L. Escaler*,
Mr. Hector K. Villarroel*, Ms. Delia Menez Rosal**,
Ms. Ruth B. Limjuco**, Mr. Leslie B. Gatan**,
Ms. Lourdes O. Yparraguirre**, Mr. Calixto V. Espejo**,
Ms. Bernarditas de Castro-Muller**, Mr. Leo J. Palma**

Portugal

Mr. Gonçalo Santa-Clara, Mr. Rui Quartin Santos*,
Mr. António Santana Carlos*, Mrs. Ana Gomes*,
Mr. José Júlio Pereira Gomes*, Mr. Joao Maria Cabral**,
Mrs. Liliana Mascarenhas Neto**, Mr. Paulo Cunha Alves**,
Mrs. Marta Santos Pais**, Mr. Miguel Almeida Andrade**,
Mrs. Dominique Sarrat**

Russian Federation

Mr. Serguey A. Kovaliov, Mr. Viatcheslav I. Bakhmine*,
Mr. Valery V. Lochtchinine*, Mr. Teimouraz O. Ramishvili*,
Ms. Lidia I. Siomina**, Mr. Serguey I. Kossenko**,
Mr. Nicolai O. Khlestov**, Mr. Michail A. Kaitchouk**,
Mr. Oleg S. Malguinov**, Mr. Kirill L. Khitrov**,
Mr. Alexander V. Tokarev**, Mr. Alexei E. Goubanov**,
Mr. Youri A. Boitchenko**

Senegal

Mr. Alioune Sene, Mr. Babacar Mbaye**, Mr. Amadou Diop**,
Mr. Laïty Kama**, Mr. El Hadji Guissé**, Mr. Balla Dia**,
Mrs. Marie Angélique Diatta**, Mr. Abdoul Aziz Ndiaye**, Mr. Moussa Sane**

Somalia

Mr. Said Haji Mohmoud, Mr. Mohamed Omar Dubad*, Mr. Najib A. Mohamed**,
Mr. Ahmed Abdi Isse**, Mr. Aidiid Abdillahi Ilkahanaf**,
Mr. Mohamed Isse Turunji**

Sri Lanka

Mr. Warnasena Rasaputram, Mr. Neville Jayaweera*, Mr. M.M.A. Farouque**,
Mr. Nihara Rodrigo**, Ms. A.Y. Dewaraja**, Mr. Esala Weerakoon**,
Mr. Bradman Weerakoon**

Syrian Arab Republic

Mr. Ahmad Fathi Masri, Mr. Clovis Khoury*, Mr. Abdul-Hamid Salloum*,
Mr. Nabih Hussami*, Ms. Chaghaf Kayali*, Ms. Sawsan Chehabi*,
Mr. Ghassan Haidar*, Mr. Salah A. Al Ayoubi*, Mr. Hicham Akhtyar*,
Mr. Khalile Abouadide*

Tunisia

Mr. Mohamed Ennaceur, Mr. Abderrazak Azaiez*, Mr. Sadok Haouas**, Mr. Mohamed Samir Koubaa**, Mr. Ali Ben Malek**, Mr. Khaled Khiari**, Mr. Naceur Ben Frija**, Mr. Sadok Chaabane**, Mr. Rachid Driss**, Mr. Raouf Chatty**, Mr. Hichem Gribaa**, Mr. Abou Saoud Hamidi**, Mr. Mustapha Tlili**

United Kingdom of Great Britain and Northern Ireland

Mr. H. Steel, Mr. M.R. Morland*, Mr. E.G.M. Chaplin**, Mr. J. Harston**, Mr. M.C. Raven**, Mr. D.I. Campbell**, Ms. S.A. Foulds**, Mr. J.W. Watt**, Mr. D.S. Walwyn**, Mr. S. McDadd**, Mr. F. Baker**, Mr. S. Pinnock**, Ms. P.R. Walsh**, Ms. K. Green**, Mr. M. Webber**, Ms. S. Boardman**

United States of America

Mr. J. Kenneth Blackwell, Mr. Morris B. Abram*, Mr. Otto J. Reich*, Mr. John R. Bolton*, Mr. Richard Schifter*, Ms. Nancy Ely-Raphel**, Ms. Juliette Clagett McLennan**, Mr. H. Clarke Rodgers, Jr.**, Ms. Shirin R. Tahir-Kheli**, Ms. Jackie Wolcott**, Mr. Sheridan W. Bell, III**, Mr. John G. Cook**, Mr. John R. Crook**, Ms. Ramona Dunn**, Mr. Peter Eicher**, Mr. John D. Garner**, Mr. Allan Jury**, Ms. Elizabeth Kimber**, Ms. Michele I. Klein-Solomon**, Mr. John Knox**, Ms. Karen E. Krueger**, Ms. Gail Dennise Mathieu**, Mr. Marc E. Northern**, Mr. David Pitts**, Ms. Charlotte M. Ponticelli**, Ms. Nance M. Styles**, Mr. John F. Burgess**, Mr. Michael L. Davis**, Ms. Orly Janssen**, Ms. Kerstin G. Le Maire**, Mr. Clyde Collins Snow**, Mr. Robert I. Weisberg**, Ms. Lisa Heyes**, Ms. Suzanne Hartley**

Uruguay

Mr. Héctor Gros Espiell, Mr. Ramiro Piriz Ballón*, Mrs. Inés Rodríguez**, Mr. Nelson Yemil Chabén**, Mrs. María Cassarino**

Venezuela

Mr. Horacio Arteaga, Mrs. María Esperanza Ruesta de Furter*, Mr. Wilmer Méndez Graterol**, Mrs. Nancy Meza Cuello**, Mrs. María Antonia Silva**

Yugoslavia

Mr. Zivojin Jazic, Mr. Naste Calovski*, Ms. Zagorka Ilic*, Ms. Marija Djordjevic**, Ms. Mirjana Radic**, Ms. Olga Spasic**

Zambia

Mr. Isaiah Z. Chabala, Ms. Hilda Chibomba*

States Members of the United Nations represented by observers

Afghanistan, Albania, Algeria, Bahrain, Belarus, Belgium, Belize, Bhutan, Bolivia, Brunei Darussalam, Cameroon, Côte d'Ivoire, Denmark, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Ecuatorial Guinea, Egypt, El Salvador, Estonia, Ethiopia, Finland, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Iceland, Ireland, Israel, Jordan, Kuwait, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mongolia, Morocco, Myanmar, New Zealand, Nicaragua, Norway, Oman, Panama, Paraguay, Poland, Qatar, Republic of Korea, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Singapore, Spain, Sudan, Swaziland, Sweden, Thailand, Trinidad and Tobago, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zaire, Zimbabwe

Non-member States represented by observers

Holy See, Switzerland

United Nations bodies

Office of the United Nations High Commissioner for Refugees, United Nations Conference on Trade and Development, United Nations Centre for Human Settlements, United Nations Children's Fund, United Nations Population Fund

Specialized agencies

International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, World Health Organization

Intergovernmental organizations

Agence de coopération culturelle et technique, Commission of the European Communities, Commonwealth Secretariat, Council of Europe, International Organization for Migration, League of Arab States, Organization of African Unity

National liberation movements

Palestine, Pan Africanist Congress of Azania

Other organizations

International Committee of the Red Cross

Non-governmental organizations

Category I

Greek Orthodox Archdiocesan Council of North and South America, International Alliance of Women, International Confederation of Free Trade Unions, International Council of Voluntary Agencies, International Council of Women, International Federation of Red Cross and Red Crescent Societies, International Movement ATD Fourth World, International Planned Parenthood Federation, International Youth and Student Movement for the United Nations, Inter-Parliamentary Union, Soroptimist International, Women's International Democratic Federation, World Assembly of Youth, World Confederation of Labour, World Federation of Trade Unions, World Federation of United Nations Associations, World Muslim Congress, World Veterans Federation, Zonta International

Category II

Action Aid, African Association of Education for Development, All-India Women's Conference, American Association of Jurists, American Association of Retired Persons, Amnesty International, Andean Commission of Jurists, Anti Slavery International, Arab Lawyers Union, Arab Organization for Human Rights, Associated Country Women of the World, Baha'i International Community, Caritas Internationalis, Christian Democratic International, Commission for the Defence of Human Rights in Central America, Commission of the Churches on International Affairs of the World Council of Churches, Conference of European Churches, Coordinating Board of Jewish Organizations, Defence for Children International Movement, Development Innovations and Networks, Disabled People's International, Foundation for the Rights of the Family, Four Directions Council, France-Libertés: Fondation Danielle Mitterrand, Friends World Committee for Consultation, General Arab Women Federation, Geneva Informal Meeting of International Youth Non-Governmental Organizations, Human Rights Advocates, Human Rights Internet, International Abolitionist Federation, International Alert, International Association against Torture, International Association for Religious Freedom, International Association for the Defence of Religious Liberty, International Association of Democratic Lawyers, International Association of Educators for World Peace, International Association of Penal Law, International Bar Association, International Catholic Child Bureau, International Centre of Sociological, Penal and Penitentiary Research and Studies, International Commission of Jurists, International Council of Environmental Law, International Council of Jewish Women, International Federation of Human Rights, International Federation of Social Workers, International Federation of University Women, International Federation of Women in Legal Careers, International Federation of Women Lawyers, International Federation Terre des Hommes, International Fellowship of Reconciliation, International Human Rights Law Group, International Indian Treaty Council, International Institute of Humanitarian Law, International Kolping Society, International League for Human Rights, International League for the Rights and Liberation of Peoples, International Movement for Fraternal Union among Races and Peoples, International Movement of Mothers, International Organization for the Development of Freedom of Education, International Organization for the Elimination of all Forms of Racial Discrimination, International Organization of Indigenous Resource Development, International Organization of Journalists, International Service for Human Rights, International Social Service, International Union of Lawyers, International Union of Students, International Union of Young Christian Democrats, International Work Group for Indigenous Affairs, Latin American Federation of Associations of Relatives of Disappeared Detainees, Law Association for Asia and the Pacific, Lawyers Committee for Human Rights, Liberal International, Lutheran World Federation, Medical Women's International Association, National Aboriginal and Islander Legal Services Secretariat, Pan-Pacific and South-East Asia Women's Association, Pax Christi, Pax Romana, Radda Barnen International, Refugee Policy Group, Save the Children Federation, Service, Peace and Justice in Latin America, Sierra Club Legal Defense Fund, Union of Arab Jurists, Women's International League for Peace and Freedom, Women's International Zionist Organization, World Association for World Federation, World Conference on Religion and Peace, World Federation for Mental Health, World Federation of Methodist Women, World Jewish Congress, World Movement of Mothers, World Student Christian Federation, World Union of Catholic Women's Organizations, World University Service, World Young Women's Christian Association

Roster

Article 19: The International Centre against Censorship, Centre Europe - Tiers Monde, Grand Council of the Crees (of Quebec), Habitat International Coalition, Indian Council of South America, Indian Law Resource Centre, International Educational Development, Inc., International Falcon Movement, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, International Federation of Action of Christians for the Abolition of Torture, International Federation of Free Journalists, International Federation of Pedestrians, International Federation of Rural Adult Catholic Movements, International Human Rights Internship Program, International Humanist and Ethical Union, International Peace Bureau, International Peace Research Association, International PEN, International Progress Organization, International Studies Association, Liberation, Minority Rights Group, Movement against Racism and for Friendship among Peoples, Planetary Citizens, Regional Council on Human Rights in Asia, Romani Union, Survival International Ltd., Third World Movement against the Exploitation of Women, War Amputations of Canada, World Alliance of Reformed Churches, World Association for the School as an Instrument of Peace, World Organization against Torture, World Peace Council, World Social Prospects Association

Annex II

AGENDA

1. Election of officers.

2. Adoption of the agenda.

3. Organization of the work of the session.

4. Question of the violation of human rights in the occupied Arab territories, including Palestine.

5. Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts.

6. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa.

7. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development.

8. Question of the realization of the right to development.

9. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.

10. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

    (a) Torture and other cruel, inhuman or degrading treatment or punishment;

    (b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

    (c) Question of enforced or involuntary disappearances;

    (d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

    (a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;

    (b) National institutions for the promotion and protection of human rights;

    (c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights.

12. Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:

    (a) Question of human rights in Cyprus;

    (b) Situation of human rights in occupied Kuwait;

    (c) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990.

13. Measures to improve the situation and ensure the human rights and dignity of all migrant workers.

14. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

15. Status of the International Covenants on Human Rights.

16. Effective functioning of bodies established pursuant to United Nations human rights instruments.

17. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-third session.

18. Rights of persons belonging to national, ethnic, religious and linguistic minorities.

19. Advisory services in the field of human rights.

20. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

21. Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

22. Rights of the child, including:

    (a) Status of the Convention on the Rights of the Child;

    (b) Report of the Special Rapporteur on the sale of children;

    (c) Programme of action for the elimination of the exploitation of child labour;

    (d) Draft programme of action for the prevention of the sale of children, child prostitution and child pornography.

23. Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

24. World Conference on Human Rights.

25. Draft provisional agenda for the forty-ninth session of the Commission.

26. Report to the Economic and Social Council on the forty-eighth session of the Commission.

Annex III

ADMINISTRATIVE AND PROGRAMME BUDGET IMPLICATIONS OF RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION AT ITS FORTY-EIGHTH SESSION

1. In the context of its review of the 1992-1993 proposed programme budget (A/46/7), the Advisory Committee on Administrative and Budgetary Questions was informed by a representative of the Secretary-General that it was not the intention of the Secretariat to continue producing, in the future, statements of programme budget implications for perennial activities resulting from mandates of the Economic and Social Council, since provision for such activities is included in the programme budget.

2. Accordingly, since all the activities proposed or approved by the Commission during the course of its forty-eighth session fall within the scope of perennial activities, no statements of programme budget implications were submitted.

Annex IV

LIST OF DOCUMENTS ISSUED FOR THE FORTY-EIGHTH SESSION OF THE COMMISSION

Documents issued in the general series

Symbol	Agenda item	
E/CN.4/1992/1	2	Provisional agenda: note by the Secretary-General
E/CN.4/1992/1/Add.1, Add.1/Corr.1 and Add.2	2	Annotations to the provisional agenda prepared by the Secretary-General
E/CN.4/1992/2	17	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-third session
E/CN.4/1992/3	12 (a)	Note verbale dated 22 July 1991 from the Permanent Mission of Turkey to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1992/4	12	Letter dated 7 August 1991 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/5	19	Report on the situation of human rights in Guatemala, submitted by Mr. Christian Tomuschat, Independent Expert, in accordance with paragraph 11 of Commission resolution 1991/51
E/CN.4/1992/6	4	Report of the Secretary-General
E/CN.4/1992/7	4	Note by the Secretary-General
E/CN.4/1992/8	5	Interim report of the Ad Hoc Working Group of Experts on Southern Africa prepared in accordance with Commission resolutions 1991/8 and 1991/21 and Economic and Social Council decision 1991/237

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/9	7	Preliminary report on the means whereby the right of everyone to own property alone as well as in association with others fosters, strengthens and enhances the exercise of other human rights and fundamental freedoms, submitted by Mr. Luis Valencia Rodríguez, Independent Expert, in accordance with Commission resolution 1991/19
E/CN.4/1992/10	8	Report of the Secretary-General on the effective implementation of the Declaration on the Right to Development, submitted in accordance with Commission resolution 1991/15
E/CN.4/1992/11	9	Situation in occupied Palestine: report of the Secretary-General
E/CN.4/1992/12	9	Report on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, submitted by Mr. Enrique Bernales Ballesteros, Special Rapporteur, in accordance with Commission resolution 1991/7
E/CN.4/1992/13	10	Measures to ensure the protection of independent experts, members of the Sub-Commission, special rapporteurs, representatives and members of the Secretariat accompanying them on mission: report of the Secretary-General
E/CN.4/1992/14	10	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the implementation of Commission resolution 1991/34
E/CN.4/1992/15	10 (b)	Report of the Secretary-General

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/16 and Add.1	10 (a)	United Nations Voluntary Fund for Victims of Torture: note by the Secretary-General
E/CN.4/1992/17	10 (a)	Report by Mr. P. Kooijmans, Special Rapporteur, in accordance with Commission resolution 1991/38
E/CN.4/1992/17/Add.1	10 (a)	*Idem*: visit to Indonesia and East Timor
E/CN.4/1992/18 and Corr.1	10 (c)	Report of the Working Group on Enforced or Involuntary Disappearances
E/CN.4/1992/18/Add.1	10 (c)	*Idem*: visit to Sri Lanka
E/CN.4/1992/19/Rev.1	10	Report of the Working Group on the Declaration on the protection of all persons from enforced disappearance
E/CN.4/1992/20	10	Report of the Working Group on Arbitrary Detention
E/CN.4/1992/21 and Add.1 and 2	11 (c)	Report of the Secretary-General submitted in accordance with Commission resolution 1991/22
E/CN.4/1992/22	11	Development of public information activities in the field of human rights, including the World Public Campaign for Human Rights: report of the Secretary-General
E/CN.4/1992/23	11 (a)	Analytical report of the Secretary-General on internally displaced persons
E/CN.4/1992/24	11	Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region: report of the Secretary-General
E/CN.4/1992/25	12 (a)	Report of the Secretary-General submitted in accordance with Commission decision 1991/106

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/26	12 (b)	Report on the situation of human rights in Kuwait under Iraqi occupation, submitted by Mr. Walter Kälin, Special Rapporteur, in accordance with Commission resolution 1991/67
E/CN.4/1992/27	12	Report on the situation of human rights in Cuba, submitted by Mr. Rafael Rivas Posada, Special Representative of the Secretary-General, in accordance with Commission resolution 1991/68
E/CN.4/1992/28 and Add.1	12	Report on the situation of human rights in Romania, submitted by Mr. Joseph Voyame, Special Rapporteur, in accordance with Commission resolution 1989/75
E/CN.4/1992/29	12	Cooperation with representatives of United Nations human rights bodies: note by the Secretary-General
E/CN.4/1992/30 and Corr.1	12	Report on summary or arbitrary executions, submitted by Mr. S. Amos Wako, Special Rapporteur, in accordance with Commission resolution 1991/71
E/CN.4/1992/30/Add.1	12	Idem: mission to Zaire
E/CN.4/1992/31	12	Report on the situation of human rights in Iraq, submitted by Mr. Max van der Stoel, Special Rapporteur, in accordance with Commission resolution 1991/74
E/CN.4/1992/32	12	Final report on the situation of human rights in El Salvador, submitted by Mr. José Antonio Pastor Ridruejo, Special Representative, in accordance with Commission resolution 1991/75

Documents issued in the general series (continued)

Symbol	Agenda item	
E/CN.4/1992/33	12	Report on the situation of human rights in Afghanistan, submitted by Mr. Felix Ermacora, Special Rapporteur, in accordance with Commission resolution 1991/78
E/CN.4/1992/34	12	Report on the situation of human rights in the Islamic Republic of Iran, submitted by Mr. Reynaldo Galindo Pohl, Special Representative, in accordance with Commission resolution 1991/82
E/CN.4/1992/35	12	Situation of human rights in Albania: report of the Secretary-General submitted in accordance with Commission resolution 1991/76
E/CN.4/1992/36	12	Situation of human rights in southern Lebanon: report of the Secretary-General
E/CN.4/1992/37	12	Situation in Tibet: note by the Secretary-General submitted in accordance with Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1991/10
E/CN.4/1992/38	13	Status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families: report of the Secretary-General
E/CN.4/1992/39	14	Report of the Secretary-General
E/CN.4/1992/40		[Symbol not used]
E/CN.4/1992/41		[Symbol not used]
E/CN.4/1992/42 and Add.1	14	Report of the Meeting of Experts to review the experience of countries in the operation of schemes of internal self-government for indigenous peoples

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/43 and Add.1 and 2	11 (b)	Report of the International Workshop on National Institutions for the Promotion and Protection of Human Rights
E/CN.4/1992/44	16	Report of the Secretary-General
E/CN.4/1992/45	17, 22	Draft programme of action for the elimination of the exploitation of child labour: report submitted by the Secretary-General in accordance with Commission resolutions 1991/54 and 1991/55
E/CN.4/1992/46	17	Report submitted by Mr. L. Joinet, Chairman of the Sub-Commission at its forty-third session, in accordance with paragraph 20 of Commission resolution 1991/56
E/CN.4/1992/47	17	Note by the Secretary-General
E/CN.4/1992/48 and Corr.1	18	Report of the working group on the rights of persons belonging to national, ethnic, religious and linguistic minorities
E/CN.4/1992/49	19	Advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights: report of the Secretary-General
E/CN.4/1992/50 and Add.1	19	Report on the human rights situation in Haiti submitted by Mr. Marco Tulio Bruni Celli, Independent Expert, in accordance with Commission resolution 1991/77
E/CN.4/1992/51	19	Report on Equatorial Guinea, submitted by Mr. Fernando Volio Jiménez, Expert, in accordance with paragraph 8 of Commission resolution 1991/80

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/52	20	Report submitted by Mr. Angelo Vidal d'Almeida Ribeiro, Special Rapporteur, in accordance with Commission resolution 1986/20
E/CN.4/1992/53 and Corr.1	21	Report of the working group
E/CN.4/1992/54	22 (a)	Report of the Secretary-General
E/CN.4/1992/55	22 (b)	Report submitted by Mr. Vitit Muntarbhorn, Special Rapporteur, in accordance with Commission resolution 1990/68
E/CN.4/1992/55/Add.1	22 (b)	Idem: visit to Brazil
E/CN.4/1992/56 and Corr.1 and Add.1-5	23	Note by the Secretary-General
E/CN.4/1992/57 and Add.1	24	Report of the Secretary-General
E/CN.4/1992/58	11	Regional arrangements for the promotion and protection of human rights: report of the Secretary-General submitted in accordance with paragraph 10 of General Assembly resolution 45/167
E/CN.4/1992/59	18	Letter dated 2 December 1991 from the Permanent Representative of Ukraine to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1992/60	12	Note by the Secretariat on the circulation of document S/23212
E/CN.4/1992/61	15	Letter dated 5 December 1991 from the Chargé d'Affaires of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/62	10	Note by the Secretary-General
E/CN.4/1992/63	10	Note by the Secretary-General
E/CN.4/1992/64	12 (b)	Letter dated 2 January 1992 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1992/65	20	Letter dated 3 January 1992 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1992/66	4	Letter dated 6 January 1992 from the Permanent Observer for Palestine to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1992/67	12 (a)	Letter dated 30 January 1992 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/68	12	Note verbale dated 27 January 1992 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1992/69	19	Letter dated 28 January 1992 from the Permanent Mission of Guatemala to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/70	20	Letter dated 6 February 1992 from the Permanent Mission of Cuba to the United Nations Office at Geneva addressed to the Secretary of the Commission

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/71	7, 10, 11 (a), 14, 20 and 22	Letter dated 10 February 1992 from the Permanent Representative of Yugoslavia to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1992/72	7, 9, 11 (a), 12 and 14	Idem
E/CN.4/1992/73	11 (a)	Idem
E/CN.4/1992/74	14, 20 and 22	Letter dated 10 February 1992 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/75	11	Developments relating to the activities of the Centre for Human Rights: report of the Secretary-General
E/CN.4/1992/76	7	Letter dated 10 February 1992 from the Ambassador of Papua New Guinea to Belgium and the European Communities addressed to the Chairman of the Commission
E/CN.4/1992/77	7	Note verbale dated 15 January 1992 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1992/78	10	Letter dated 17 February 1992 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/79	12	Letter dated 27 February 1992 from the Permanent Representative of Indonesia to the United Nations Office at Geneva addressed to the Chairman of the Commission

Documents issued in the general series
(continued)

Symbol	Agenda item	
E/CN.4/1992/80	22	Letter dated 28 January 1992 from the Permanent Representative of Guatemala to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/81	11	Letter dated 27 February 1992 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/82	11	Note verbale dated 25 February 1992 from the Permanent Mission of the Gambia to the United Nations addressed to the Commission
E/CN.4/1992/83	12 (a)	Letter dated 28 February 1992 from the Deputy Permanent Representative, Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission
E/CN.4/1992/SR.1-57 a/ and E/CN.4/1992/SR.1-57/ Corrigendum		Summary records of the meetings of the forty-eighth session of the Commission and a consolidated corrigendum thereto

Documents issued in the limited series b/

Symbol	Agenda item	
E/CN.4/1992/L.1	25	Note by the Secretary-General
E/CN.4/1992/L.2	4	Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Cuba, Egypt, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen, Yugoslavia and Zimbabwe: draft resolution
E/CN.4/1992/L.3	4	Afghanistan, Algeria, Bangladesh, Burundi, China, Cuba, Cyprus, Gabon, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Madagascar, Mauritania, Morocco, Oman, Pakistan, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia and United Arab Emirates: draft resolution
E/CN.4/1992/L.4	9	Afghanistan, Albania, Algeria, Bangladesh, Burundi, China, Cuba, Gabon, Ghana, Indonesia, Jordan, Madagascar, Mauritania, Morocco, Pakistan, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Yugoslavia: draft resolution
E/CN.4/1992/L.5	4	Afghanistan, Albania, Australia, Austria, Bangladesh, Belgium, Colombia, Cyprus, Czech and Slovak Federal Republic, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Jordan, Lebanon, Luxembourg, Morocco, Netherlands, New Zealand, Norway, Portugal, Russian Federation, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland and Yugoslavia: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.6	9	Draft decision submitted by the Chairman
E/CN.4/1992/L.7	9	Draft resolution submitted by the Chairman
E/CN.4/1992/L.8	9	Afghanistan, Algeria, Angola, Burundi, Cameroon, Chile, Colombia, Cuba, Egypt, El Salvador, Gabon, Ghana, India, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Mauritania, Nigeria, Peru, Sao Tome and Principe, Senegal, Somalia, Sudan, Tunisia, United Republic of Tanzania, Uruguay, Venezuela, Zambia and Zimbabwe: draft resolution
E/CN.4/1992/L.9	15	[Draft resolution withdrawn]
E/CN.4/1992/L.10 and Add.1-21	26	Draft report of the Commission on its forty-eighth session
E/CN.4/1992/L.11 and Add.1-7	26	Idem
E/CN.4/1992/L.12	7	Costa Rica, Czech and Slovak Federal Republic, Germany, Iran (Islamic Republic of), Japan, Philippines, Russian Federation, Sao Tome and Principe, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
E/CN.4/1992/L.13	7	Algeria, Colombia, Costa Rica, Cuba, Cyprus, Ecuador, Ghana, Iran (Islamic Republic of), Kenya, Lesotho, Madagascar, Mexico, Nigeria, Peru, Philippines, Sao Tome and Principe, Senegal, Somalia, Venezuela, Viet Nam, Yugoslavia and Zambia: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.14	7	Australia, Austria, Belgium, Bulgaria, Colombia, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Denmark, Egypt, Finland, France, Hungary, Madagascar, Netherlands, Norway, Peru, Philippines, Portugal, Sao Tome and Principe, Russian Federation, Senegal, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1992/L.15	20	Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Czech and Slovak Federal Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Russian Federation, Sao Tome and Principe, Senegal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution
E/CN.4/1992/L.16	18	Australia, Austria, Costa Rica, Czech and Slovak Federal Republic, Finland, Gabon, Greece, Hungary, Italy, Netherlands, Norway, Poland, Russian Federation, Sao Tome and Principe, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay and Yugoslavia: draft resolution
E/CN.4/1992/L.17	7	Argentina, Australia, Belgium, Burundi, Chile, Colombia, Cuba, Czech and Slovak Federal Republic, Ecuador, Egypt, Finland, France, Gabon, Greece, Honduras, Ireland, Italy, Kenya, Lesotho, Madagascar, Nicaragua, Nigeria, Peru, Philippines, Portugal, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Spain, Switzerland, Syrian Arab Republic and Venezuela: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.18	16	Australia, Austria, Canada, Costa Rica, Czech and Slovak Federal Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Netherlands, New Zealand, Norway, Portugal, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, Uruguay and Yugoslavia: draft resolution
E/CN.4/1992/L.19	15	Argentina, Australia, Austria, Bulgaria, Cameroon, Canada, Chile, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Denmark, Ecuador, El Salvador, Finland, Hungary, Iceland, Italy, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Russian Federation, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and Uruguay: draft resolution
E/CN.4/1992/L.20	7	Argentina, Australia, Austria, Costa Rica, Czech and Slovak Federal Republic, Hungary, Italy, Netherlands, Norway, Peru, Russian Federation, Spain, Tunisia and Uruguay: draft resolution
E/CN.4/1992/L.21	8	Afghanistan, Algeria, Angola, Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Egypt, Gabon, Ghana, India, Indonesia, Iran (Islamic Republic of), Kenya, Lesotho, Madagascar, Mexico, Nigeria, Pakistan, Peru, Philippines, Sao Tome and Principe, Senegal, Sri Lanka, Uruguay, Venezuela, Yugoslavia, Zambia and Zimbabwe: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.22	14	Algeria, Angola, Bangladesh, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Egypt, Ethiopia, Gabon, Ghana, Guatemala, Haiti, India, Indonesia, Iran (Islamic Republic of), Kenya, Kuwait, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, United Republic of Tanzania, Venezuela, Yugoslavia, Zaire, Zambia and Zimbabwe: draft resolution
E/CN.4/1992/L.23	6	Afghanistan, Algeria, Angola, Bangladesh, Burundi, Cameroon, Cuba, Egypt, Gabon, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Kenya, Kuwait, Lesotho, Libyan Arab Jamahiriya, Mauritania, Nigeria, Pakistan, Rwanda, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Republic of Tanzania, Zambia and Zimbabwe: draft resolution
E/CN.4/1992/L.24	12	Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Liechstenstein, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.25	12	Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech and Slovak Federal Republic, Denmark, Finland, France, Gabon, Germany, Greece, Hungary, India, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Senegal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
E/CN.4/1992/L.25/Rev.1	12	[*Same sponsors*], Estonia, Iceland, Liechtenstein and Switzerland: revised draft resolution
E/CN.4/1992/L.26	5	Algeria, Angola, Burundi, China, Cuba, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Libyan Arab Jamahiriya, Nigeria, Senegal, Sudan, Tunisia, United Republic of Tanzania, Zambia and Zimbabwe: draft resolution
E/CN.4/1992/L.27	12	Angola, Belgium, Bulgaria, Chile, Costa Rica, Czech and Slovak Federal Republic, Denmark, Finland, France, Germany, Greece, Guinea-Bissau, Hungary, Iceland, Ireland, Italy, Luxembourg, Mozambique, Netherlands, Norway, Portugal, Rwanda, Sao Tome and Principe, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1992/L.28	10	Argentina, Austria, Belgium, Brazil, Bulgaria, Burundi, Canada, Chile, Czech and Slovak Federal Republic, France, Gabon, Gambia, Germany, Greece, Hungary, Japan, Liechtenstein, Luxembourg, New Zealand, Panama, Peru, Russian Federation, Spain, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.29	10	Afghanistan, Australia, Bangladesh, Belgium, Bulgaria, Canada, Colombia, Cyprus, Czech and Slovak Federal Republic, Germany, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kenya, Liechtenstein, Peru, Philippines, Poland, Russian Federation, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
E/CN.4/1992/L.30	24	Afghanistan, Argentina, Australia, Bangladesh, Belgium, Brazil, Bulgaria, Chile, Colombia, Cyprus, Czech and Slovak Federal Republic, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, Germany, Ghana, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Kenya, Lesotho, Lithuania, Luxembourg, Mongolia, Morocco, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Somalia, Spain, Sweden, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela: draft resolution
E/CN.4/1992/L.31	10	Argentina, Bulgaria, Chile, Czech and Slovak Federal Republic, Netherlands, Portugal, Russian Federation and United States of America: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.32	10 (b)	Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, Czech and Slovak Federal Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Liechtenstein, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Russian Federation, Senegal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Yugoslavia: draft resolution
E/CN.4/1992/L.33	11	Afghanistan, Albania, Australia, Bulgaria, Chile, Ecuador, Guatemala, Greece, Haiti, Hungary, Ireland, Italy, Mexico, Netherlands, Panama, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Sao Tome and Principe, Sweden, Switzerland, Tunisia, Ukraine, Venezuela and Yugoslavia: draft resolution
E/CN.4/1992/L.34	10	Australia, Austria, Canada, Costa Rica, France, Germany, Greece, Hungary, Iran (Islamic Republic of), Italy, Japan, Liechtenstein, Luxembourg, Panama, Philippines, Portugal, Sao Tome and Principe, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1992/L.35	10 (a)	Argentina, Australia, Austria, Brazil, Canada, Chile, Costa Rica, Czech and Slovak Federal Republic, Denmark, Finland, France, Gambia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Peru, Poland, Senegal, Somalia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Documents issued in the limited series b/
(continued)

Symbol	Agenda item	
E/CN.4/1992/L.36	10 (d)	Argentina, Belgium, Bolivia, Brazil, Bulgaria, Burundi, Chile, Costa Rica, Czech and Slovak Federal Republic, Ecuador, El Salvador, Finland, France, Gabon, Gambia, Greece, Honduras, Italy, Kenya, Kuwait, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mauritania, Nicaragua, Norway, Panama, Poland, Portugal, Russian Federation, Senegal, Spain, Sweden, Switzerland, Uruguay and Venezuela: draft resolution
E/CN.4/1992/L.36/Rev.1	10 (d)	[Same sponsors], Austria, Cyprus and Philippines: revised draft resolution
E/CN.4/1992/L.37	10	Argentina, Australia, Austria, Belgium, Bulgaria, Burundi, Chile, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Ecuador, Finland, France, Gabon, Greece, Hungary, Iceland, India, Lithuania, Luxembourg, Panama, Peru, Philippines, Poland, Portugal, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Sweden, Switzerland, Tunisia, and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1992/L.38	10	Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Cuba, Cyprus, Czech and Slovak Federal Republic, Denmark, Finland, France, Gabon, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution

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E/CN.4/1992/L.39	10 (c)	Australia, Austria, Belgium, Bulgaria, Canada, Chile, Cuba, Cyprus, Czech and Slovak Federal Republic, Denmark, France, Greece, Hungary, Ireland, Luxembourg, Madagascar, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1992/L.40	10	Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Denmark, Finland, France, Gambia, Germany, Greece, Hungary, Italy, Kenya, Liechtenstein, Netherlands, New Zealand, Panama, Peru, Philippines, Poland, Portugal, Rwanda, Sao Tome and Principe, Spain and Sweden: draft resolution
E/CN.4/1992/L.41	10 (a)	Argentina, Australia, Austria, Belgium, Burundi, Canada, Costa Rica, Cyprus, Denmark, Finland, Gambia, Germany, Greece, Hungary, Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Panama, Peru, Portugal, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1992/L.42	9	Draft resolution submitted by the Chairman
E/CN.4/1992/L.43	10	Argentina, Australia, Austria, Belgium, Bulgaria, Burundi, Canada, Colombia, Costa Rica, Cyprus, Denmark, France, Gambia, Germany, Greece, Hungary, Italy, Japan, Lesotho, Luxembourg, Netherlands, New Zealand, Norway, Peru, Philippines, Portugal, Rwanda, Sao Tome and Principe, Senegal and Spain: draft resolution

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E/CN.4/1992/L.46	12 (b)	Argentina, Australia, Bahrain, Bhutan, Costa Rica, Egypt, Gambia, Hungary, India, Kenya, Kuwait, Lebanon, Oman, Pakistan, Portugal, Qatar, Saudi Arabia, Senegal, Somalia, Syrian Arab Republic, United Arab Emirates and United States of America: draft resolution
E/CN.4/1992/L.47	11	Australia, Bangladesh, China, France, Germany, Indonesia, Iran (Islamic Republic of), Japan, New Zealand, Philippines and Sri Lanka: draft resolution
E/CN.4/1992/L.48	11	Angola, Argentina, Australia, Austria, Bulgaria, Chile, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Denmark, Finland, France, Gabon, Germany, Greece, Hungary, Japan, Kenya, Mexico, Netherlands, New Zealand, Nigeria, Norway, Panama, Peru, Poland, Portugal, Russian Federation, Sweden, Switzerland, United States of America and Uruguay: draft resolution
E/CN.4/1992/L.49	12	Austria, Belgium, Costa Rica, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Panama, Portugal, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution

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E/CN.4/1992/L.49/Rev.1	12	Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution
E/CN.4/1992/L.50	11	Afghanistan, Argentina, Bangladesh, Bolivia, Bulgaria, Burundi, Colombia, Cyprus, Czech and Slovak Federal Republic, France, Gabon, Gambia, Germany, Greece, Hungary, India, Iran (Islamic Republic of), Ireland, Italy, Japan, Madagascar, Nigeria, Panama, Peru, Philippines, Poland, Portugal, Russian Federation, Rwanda, Somalia, Spain, Sri Lanka, Uruguay, Venezuela and Yugoslavia: draft resolution
E/CN.4/1992/L.51	11	Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Ecuador, Gambia, Guatemala, India, Kenya, Lesotho, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Russian Federation, Sao Tome and Principe, Senegal, United States of America, Uruguay and Venezuela: draft resolution
E/CN.4/1992/L.52	11	Argentina, Australia, Austria, Belgium, Brazil, Costa Rica, Gabon, Germany, Greece, Guatemala, Hungary, Iran (Islamic Republic of), Italy, Japan, Netherlands, Norway, Philippines, Russian Federation, Sao Tome and Principe, Senegal and Uruguay: draft resolution

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E/CN.4/1992/L.54	17	Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Denmark, Finland, Gabon, Gambia, Greece, Guatemala, Honduras, Hungary, Japan, Kenya, Madagascar, Mauritania, Mexico, New Zealand, Nigeria, Norway, Peru, Philippines, Russian Federation, Sao Tome and Principe, Senegal, Sweden and Uruguay: draft resolution
E/CN.4/1992/L.55	11 (c)	Afghanistan, Albania, Angola, Argentina, Australia, Austria, Belgium, Belarus, Bhutan, Bulgaria, Burundi, Canada, Chile, Colombia, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Kenya, Kuwait, Lebanon, Lesotho, Liechtenstein, Luxembourg, Madagascar, Malta, Mauritania, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Sao Tome and Principe, Senegal, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia and Zimbabwe: draft resolution

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E/CN.4/1992/L.59	12	Austria, Belgium, Bulgaria, Canada, Costa Rica, Czech and Slovak Federal Republic, Denmark, Finland, Gambia, Germany, Honduras, Hungary, Iceland, Ireland, Japan, Kuwait, Liechtenstein, Lithuania, Luxembourg, Netherlands, Nicaragua, Norway, Panama, Poland, Romania, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
E/CN.4/1992/L.60	13	Algeria, Argentina, Bolivia, Colombia, Costa Rica, Cuba, Czech and Slovak Federal Republic, Ecuador, Egypt, France, Greece, Italy, Madagascar, Mauritania, Mexico, Morocco, Panama, Peru, Portugal, Romania, Rwanda, Sao Tome and Principe, Senegal, Sweden, Tunisia, Uruguay, Venezuela and Yugoslavia: draft resolution

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E/CN.4/1992/L.68	12	Australia, Austria, Belgium, Canada, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Romania, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
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E/CN.4/1992/L.75	17	Algeria, Argentina, Australia, Austria, Canada, Colombia, Costa Rica, Cuba, Cyprus, Czech and Slovak Federal Republic, Denmark, El Salvador, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Iran (Islamic Republic of), Italy, Kenya, Kuwait, Mauritania, Norway, Philippines, Russian Federation, Senegal, Somalia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and Zimbabwe: draft resolution

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E/CN.4/1992/L.82/Rev.1	11	[Same sponsors], Argentina, China, Denmark, Ghana, India, Italy, Philippines, Somalia and Venezuela: revised draft resolution
E/CN.4/1992/L.83 and Rev.1	19	Albania, Austria, Belgium, Bulgaria, Burundi, Canada, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Denmark, El Salvador, Finland, France, Gambia, Germany, Greece, Ireland, Italy, Japan, Lesotho, Madagascar, Netherlands, New Zealand, Norway, Peru, Philippines, Poland, Russian Federation, Sweden and Switzerland: draft resolution
E/CN.4/1992/L.84	22	Argentina, Chile, Colombia, Costa Rica, Cuba, Cyprus, France, Germany, Honduras, Iran (Islamic Republic of), Mauritania, Mexico, Panama, Peru, Portugal, Syrian Arab Republic, Uruguay and Venezuela: draft resolution

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E/CN.4/1992/L.86	22	Angola, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Colombia, Costa Rica, Cuba, Cyprus, Czech and Slovak Federal Republic, Denmark, Finland, France, Gabon, Gambia, Germany, Greece, Iceland, Iran (Islamic Republic of), Ireland, Italy, Netherlands, Norway, Peru, Poland, Portugal, Romania, Russian Federation, Rwanda, Senegal, Spain, Sweden, Switzerland, Uruguay and Venezuela: draft resolution
E/CN.4/1992/L.87	11	India: draft amendment to draft resolution E/CN.4/1992/L.74
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E/CN.4/1992/NGO/2	12	Written statement submitted by Habitat International Coalition, a non-governmental organization on the Roster
E/CN.4/1992/NGO/3	7	Written statement submitted by the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, a non-governmental organization on the Roster
E/CN.4/1992/NGO/4	10 (a) and (b)	Written statement submitted by the International Federation of Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster
E/CN.4/1992/NGO/5	12 and 22	Idem
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E/CN.4/1992/NGO/8	7	Written statement submitted by the International Movement ATD Fourth World, a non-governmental organization in consultative status (category I)

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E/CN.4/1992/NGO/10	12	Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II)
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E/CN.4/1992/NGO/13	12	Written statement submitted by the International Union of Young Christian Democrats, a non-governmental organization in consultative status (category II)
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E/CN.4/1992/NGO/15	19	Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II)
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E/CN.4/1992/NGO/19	12	Written statement submitted by Lawyers Committee for Human Rights, a non-governmental organization in consultative status (category II)
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E/CN.4/1992/NGO/21	11	Written statement submitted by Refugee Policy Group, a non-governmental organization in consultative status (category II)
E/CN.4/1992/NGO/22	10	Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)
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E/CN.4/1992/NGO/25	10 (a)	Idem
E/CN.4/1992/NGO/26	17	Written statement submitted by the Baha'i International Community, the Friends World Committee for Consultation, the International Association for Religious Freedom, the International Association for the Defence of Religious Liberty, the International Commission of Jurists, the International Council of Jewish Women, the Lutheran World Federation and Pax Romana, non-governmental

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		organizations in consultative status (category II); and the World Union for Progressive Judaism, a non-governmental organization on the Roster
E/CN.4/1992/NGO/27	10 (d)	Written statement submitted by the World Confederation of Labour and the World Federation of United Nations Associations, non-governmental organizations in consultative status (category I); the American Association of Jurists, the Arab Organization for Human Rights, the Baha'i International Community, Defense for Children International Movement, the Friends World Committee for Consultation, Human Rights Advocates, the International Association of Democratic Lawyers, the International Association of Penal Law, the International Commission of Jurists, the International Council of Jewish Women, the International Federation Terre des Hommes, the International Fellowship of Reconciliation, the International Indian Treaty Council, the International League for the Rights and Liberation of Peoples, the International Movement for Fraternal Union among Races and Peoples, the Latin American Federation of Associations of Relatives of Disappeared Detainees, Pax Christi, and the World Association for World Federation, non-governmental organizations in consultative status (category II); Centre Europe - Tiers Monde, the International Federation of Action of Christians for the Abolition of Torture and the World Organization against Torture, non-governmental organizations on the Roster
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E/CN.4/1992/NGO/31	18	Written statement submitted by Pax Christi, a non-governmental organization in consultative status (category II)
E/CN.4/1992/NGO/32	22	Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)
E/CN.4/1992/NGO/33	7	Written statement submitted by the International Alliance of Women, the International Movement ATD Fourth World, the International Social Security Association, the International Union of Family Organizations, Soroptimist International, the World Federation of Trade Unions and Zonta International, non-governmental organizations in consultative status (category I); the Associated Country Women of the World, Caritas Internationalis, the International Abolitionist Federation, the International Catholic Child Bureau, the International Council of Jewish Women, the International Federation of Social Workers, the International Federation of Women in Legal Careers, the International Federation of Women Lawyers, the International Federation Terre des Hommes, the International Fellowship of Reconciliation, the International Movement for Fraternal Union among Races and Peoples,

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E/CN.4/1992/NGO/34	12	Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II)
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E/CN.4/1992/NGO/41	12	Idem

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E/CN.4/1992/NGO/44	15	Written statement submitted by the International Human Rights Law Group, a non-governmental organization in consultative status (category II)
E/CN.4/1992/NGO/45	22	Written statement submitted by International Educational Development, Inc., a non-governmental organization on the Roster

Notes

a/ The summary records of the closed meetings (31st, 32nd and 53rd (first part)) were issued in restricted distribution.

b/ The sponsors listed here include those who became sponsors of the draft resolution or amendment subsequent to the issue of the document.

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